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ABSTRACT

This document, the fourth in a series of resource guides emphasizing economic-political analysis of contemporary public policies and issues, focuses on crime control. Designed as a three-week unit for secondary school students, the guide is presented in three sections. The introduction presents an economic and a political science framework for policy analysis and discusses the integration of economics and political science. Topics in the second section include the incidence and costs of crime, attitudes toward crime and criminals, the economics of crime, punishment as deterrent, evidence on arrests, juvenile courts, resources for criminal justice, victimless crimes, and public-policy choices. The third section contains six learning activities. Students take a crime I.Q. test, discuss a filmstrip on the cost of crime, survey the prevalence of shoplifting among teenagers, compare ideas of criminologists and sociologists on crime control, plan a program to prevent crime in the school, and play a simulation, "Law, Enforcement, Money, and Politics." Reproducible materials are provided for each activity. (KC)

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TO THE EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)."

ECONOMICS-POLITICAL SCIENCE SERIES (EPS)

# Analyzing Crime and Crime Control: A Resource Guide

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Lorraine H. Scheer

SP 013 445

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# Foreword

## Economics-Political Science Project

Although by its very name the Joint Council on Economic Education is obviously committed to improving the teaching of economics, it has developed this Economics-Political Science Series as a contribution to the teaching of the broad social studies field. We believe that all the publications in the series will enable teachers to achieve a number of purposes that rank high among the goals for social studies, and the production procedure for the series demonstrates effective steps and use of personnel to develop social studies instructional materials.

The series is an outgrowth of the Economics-Political Science Project, which was undertaken in 1973. The project came into being because it was recognized that most social issues were becoming increasingly complex and multidimensional and yet social studies teachers were generally unprepared to handle the teaching of such material. As a result, students were not being prepared to understand and act upon crucial matters. The J.M. Foundation had a strong commitment for many years to improve the quality of our nation's citizenship education, and it provided the JCEE with the initial grant to launch the Economics-Political Science Project.

The core of JCEE strategy was to draw heavily upon the experiences and judgment of outstanding social studies teachers in diagnosing what needed to be done and how to do it. The major program recommended to lay a foundation for the project was to conduct a national workshop in which strategically situated social studies teachers could be prepared to teach complex, multidimensional social issues effectively. With this experence as a beginning, it was anticipated that comparable training programs could be provided within states for other teachers. Furthermore, the experience of the national workshop could be used to establish a basis for developing materials for teaching the social issues.

As a preliminary step, pilot programs were held for social studies teachers in North Carolina and Oregon to gain experience and advice regarding the purposes, personnel, content, materials, and procedures for the national workshop. Among the key recommendations that emerged were the following: (1) Participants should include outstanding high school teachers with backgrounds in economics and political science. (2) The workshop should focus on the analysis of major social issues that involve economics and political science. (3) The workshop should focus also on the techniques and resources for teaching the social issues selected. (4) The staff should include personnel capable of providing the essentials of economics and political science; an analysis of the social issues, which would draw upon and show the interrelation of the pertinent topics in economics and political science; and leadership in demonstrating and developing teaching techniques and materials. (5) The entire workshop should be conducted in an exemplary manner so as to serve as a model for later workshops in states and school districts.

The National Economics-Political Science Project Workshop was conducted during the summer of 1974 at Haverford College, using the adjacent city of Philadelphia as a resource for realistically relating the social issues being analyzed. Attending were teams of high school social studies teachers from 36 states who had been carefully selected by their state Affiliated Councils on Economic Education. Evaluations of the workshop indicated that the purposes were achieved to a very high degree.

During the following year miniworkshops dealing with social issues were conducted for social studies teachers in five regions of the nation. These programs were patterned after the national workshop and included teachers and materials from that workshop. Funds for the national workshop and the regional programs were provided by the J. M. Foundation, Exxon Corporation (USA), and the Lilly Endowment, Inc.

It was at this stage that the Economics-Political Science Project turned to the production of teaching materials. With continuing grants from the J.M Foundation and Exxon Corporation (USA), the JCEE employed four writing teams to develop

resource units for teaching major social issues. The units were to be designed to teach social issues analytically, integrating economics and political science in the process, and they were to provide diverse examples and suggestions of units, methods, and resources for classroom use. In order to achieve these aims, each team included an economist, a political scientist, two social studies teachers, and a social studies curriculum specialist. The team members selected had demonstrated their abilities in various phases of the Economics-Political Science Project.

In August 1975 the writing teams were convened by the JCEE for an intensive planning seminar and, drawing upon the experiences and output of the national and regional workshops, they developed the focus, format, and procedures for the Economics-Political Science Series.

It was agreed that resource guides were to be developed for analyzing the following: Health Care Policy; Tax Policy; Economic Stabilization Policy; Government Regulation; Environmental Policy; Housing Policy; and Crime Control and Prevention Policy.

Each resource guide was to contain the following elements: (1) a delineation of the core concepts of economics and political sience and their interrelationships; (2) a Topic Overview providing background information for teachers and an in-depth economic-political science analysis of the problem area on which the guide was focused; (3) a statement of the rationale and significance of the problem area, emphasizing its present and potential place in the lives of students; (4) an identification of the objectives and outcomes to be achieved from study of the problem area; (5) diverse examples of classroom activities, each designed to achieve one or more of the objectives.

Another major decision reached at that time was that there should be extensive exchange, review, and testing throughout the development process. All the economists and political scientists would react to each other's analyses and they would also receive reactions and suggestions from the high school social studies teachers. The economists and political scientists would review the content of the methodology prepared by the high school teachers and the teachers would exchange their materials among themselves. Beyond all this and of crucial importance, it was agreed that the resource guides would be extensively field-tested in classrooms throughout the United States.

All these procedures have been followed and we have now completed this third guide in the EPS series. We believe the series is unique not only in the separate features it embodies but more so in its composite emphases and contributions: (1) a focus upon social issues of major interest and consequence to students; (2) an emphasis upon the teaching and learning of analytical skills; (3) the development of an understanding of the fundamentals of economics and political science, the interrelationship between them, and the application of both disciplines in analyzing and acting upon social issues; (4) the use of diverse, proven teaching strategies and resources that aim clearly at achieving significant, measurable outcomes.

Another unique quality that can be attributed to this series is the range of people who have been involved in a close, working relationship: college professors and high school teachers; economists and political scientists; specialists in academic disciplines and specialists in methodology; teachers in school systems of varied sizes, locations, and student populations. We believe all of this has proved to be effective and bodes well for the development of social studies in materials in the future.

Each publication in the series identifies the people who contributed to its completion, and we extend our appreciation to them for their dedication and competence. On behalf of myself and the Joint Council on Economic Education, I extend a special message of appreciation and commendation to June Gilliard of the JCEE staff for the most praiseworthy ways in which she has coordinated the development and production of the Economics-Political Science Series. She is recognized to be one of the nation's distinguished social studies educators, and her role in this project should provide her with additional distinction. Throughout the project valuable assistance has also been provided by Anthony F. Suglia and S. Stowell Symmes of the JCEE staff and George G. Dawson, director of the Center for Economic Education at Empire State College-State University of New York and formerly a staff member of JCEE.

Although the support of the J. M. Foundation and the Exxon Corporation (USA)

has been mentioned previously, we acknowledge again our gratitude to them for providing the means to carry out the project and produce this series.

Of course, the Economics-Political Science Project which led to this series is not completed nor is it ever likely to be. Now will come further use, adaptation, modification, and improvement. Social issues are dynamic, and there will be need for different resource guides in the years to come. We encourage such ferment and shall welcome suggestions that will enable us to join you in in doing what is needed to improve the teaching of social studies.

Dr. George L. Fersh
*Regional Representative, JCEE*
*Director, Economics-Political Scinece Project*

# Preface

## Organization and Uses of Unit Resource Material

Policy decisions affect everyone. Consequently, it is important that students acquire the knowledge and skills necessary for understanding the major policy questions facing our society and for participating effectively in the processes of public debate and public decision-making.

*Analyzing Crime and Crime Control* is the fourth in a series of resource guides focusing on economic-political analysis of contemporary public policies and issues. The topics for all the units in the series were selected not only because of their current relevance, but also in the belief that these issues will continue to be the focus of public debate for some time to come.

In developing the Economics-Political Science (EPS) resource guides every effort was taken to make the contents as widely useful as possible. Material contained in individual guides was designed to be used by high school teachers with instructional responsibilities for economics, government, United States history, problems of democracy, or other social studies courses dealing with contemporary social issues.

The resource guide on crime and crime control consists of four major components, each designed to serve specific curricular or instructional purposes. The Introduction provides a general explanation of the conceptual framework used throughout the series for analysis of policy problems and issues. It also provides a model that teachers may use for extending the study of crime control policy or for developing additional units dealing with economic-political analysis of other areas of public debate and concern.

The purpose of the Topic Overview is twofold. First, it provides the teacher with background information on economic and political issues involved in the formation of a policy for the control of crime. Second, it serves as a concrete example of how the conceptual framework described in the preface is applied to the economic-political analysis of policy issues.

The unit rationale and objectives and the instructional activities deal specifically with pedagogical questions pertaining to the why, what, and how of teaching about crime and policies for crime control.

About three weeks of study are needed to complete all the suggested instructional activities in the sequence presented. It is not anticipated, however, that every teacher will wish to use the material in that manner. Therefore, the activities are designed so they may be used singly or in various combinations, depending upon the amount of time the teacher wishes to devote to the topics and the needs of the particular student group being taught. To assist teachers in determining which activity or combination of activities is most appropriate for their students each instructional activity has been keyed to the objectives it is designed to achieve.

We wish to express our appreciation to Ruth I. Butterfield, John H. George, John S. Morton, and Lorraine H. Scheer for their help in defining the direction of this fourth unit in our EPS Series and for their work in developing the original resource materials. Special thanks are due Lawrence A. Mayer, who synthesized the final version of the Overview.

June V. Gilliard
*EPS Project Coordinator*
*and Director of Curriculum*

# Analyzing Crime and Crime Control: A Resource Guide

# INTRODUCTION

LAURENCE E. LEAMER AND PAUL A. SMITH

A central purpose of this series is to help students in learning to view society and its problems from both economic and political perspectives. This can best be done through study of specific questions, each of which entails an economic and political analysis of a distinct social problem.

Economics and political science are complex intellectual "disciplines," each having an extensive body of theory and methodology. As such, their applications in the diverse areas of policy decision-making may leave the teacher searching for certain "essentials"—certain core ideas—with which to explain matters to the student. Such essentials can be found in a modest number of basic concepts that mark each discipline. These are presented in separate statements below, followed by a brief discussion of how those concepts may be combined to provide an integrated approach to the teaching of economics and political science.

## 1. AN ECONOMICS FRAMEWORK FOR ANALYSIS OF POLICY ISSUES[1]

It is useful to think of the concepts that form the basis for economic understanding in terms of several broad "concept clusters." The diagram provided in Figure 1 (page 2) illustrates how these clusters and various subclusters are combined to form a schematic framework for economics curricula and instruction.

Every economy, however it may be organized, faces the fundamental problem that economic resources (natural resources, human resources, capital goods) are limited relative to the practically unlimited wants of people in the economy. How people allocate these resources among many competing human wants varies greatly among different economic systems. One broad class of systems solves this complex problem largely by reliance on tradition (e.g., some "underdeveloped" economies), another one by command" (e.g., centralized economies such as China and the U.S.S.R.), and a third class by a decentralized market mechanism (e.g., the United States and most Western European nations). In reality, most economies are mixed in their use of the three approaches and in the economic institutions they have developed, and the approaches and institutions change with the passage of time. We focus primarily on the American economic system, but it is important to recognize that other systems face the same central economic problem of *scarcity*, although they deal with it differently.

When examining any economic system it is helpful to look both at its parts (microeconomics) and the whole (macroeconomics). In microeconomics independent elements can be explored, such as what products are produced, how much a firm produces, how much income a family earns, or why corn prices are what they are. But some problems require an analysis from the perspective of the total (macro) economy. Then economists examine aggregates such as general price levels, gross national products, employment levels, and other phenomena.

In our largely private enterprise economy (leaving government aside for a moment) competitive market prices are the dominant mechanism used to allocate scarce resources. Perfect competition rarely exists in the real world, but the competitive market provides us with a model of how markets "should" work when no individual is a big enough part of the total market to have any personal influence on market price.

In striving to maximize profits, businesses try to produce at the lowest possible cost those goods and services that consumers are willing and able to buy. In some cases they also seek to influence consumer demands through advertising and other selling activities. They draw productive resources (such as labor, land, and machinery) into those enterprises where they will contribute most to meeting consumer demands. While

Laurence E. Leamer, who is the author of several JCEE publications, was a professor of economics at the State University of New York at Binghamton previous to his retirement. Paul A. Smith is professor of political science and director of undergraduate programs at the same institution.

1. Adapted from the January 1977 unpublished report prepared by W. Lee Hansen, chairman, Framework Committe for the Joint Council on Economic Education Master Curriculum Project.

## FIGURE 1
## Framework for Analysis of Economic Policies and Issues

*Systematic analysis of economic policies requires:*

**IDENTIFICATION OF ISSUES**

- Issues Pertaining to Relative Role of the Market vs. Government Action
- Issues Pertaining to Overall Performance of the Economy
- Issues Pertaining to Distribution of Income

**KNOWLEDGE & APPLICATION OF BASIC ECONOMIC CONCEPTS**

**The Economic Problem**

*which arises from scarcity and the need for choice, and necessitates the development of*

**Economic Systems**

*for resolving problems and issues dealing with what to produce, how to produce, how much to produce, and how to distribute the fruits of production:*

Microeconomics: Resource Allocation, Income Distribution, etc. and Macroeconomics: Economic Stability and Growth, etc.

**KNOWLEDGE OF ECONOMIC INSTITUTIONS**

*which provides the factual and behavioral background needed to apply economic concepts*

**EVALUATION OF ECONOMIC ACTIONS AND POLICIES**

*which necessitates distinguishing between*

**Questions of Fact or Prediction vs. Questions of Judgment or Values**

*by applying*

**Measurement Concepts**

*for assessing economic performance,*

*identifying*

**Goals/Values**

*to be used as criteria for evaluating policy alternatives,*

*and*

*weighing policy choices in terms of*

**Trade-offs among Goals**

doing so, businesses pay out incomes to workers, landowners, and other suppliers of productive services who are also trying to maximize their economic returns by getting the best possible value or price for what they have to offer. These incomes, in turn, make it possible for income receivers to bid for goods they want. Thus markets in which prices rise and fall in response to changing demands and supplies provide the mechanism that links consumers and businesses, each group seeking to make the best of its position and abilities, yet each dependent upon the other. In economics, this is described as a circular flow model of the economic system. Individuals and businesses who save part of their income and make these savings available for investment in new productive facilities or in human beings increase society's capacity to produce in future years. As a result another circular flow exists, connecting those having funds to invest and those seeking funds to be invested.

Individual freedom of choice is central to the way the largely decentralized, market-directed American economy defines its goals and allocates its limited resources. But those individual freedoms of the consumer, wage-earner, investor, and entrepreneur are limited by laws and social institutions protecting the individual and society. Thus, markets and prices, reflecting shifting demand and supply conditions, are the main regulators of the allocation of scarce resources in the production of the most desired goods and services; but government, unions, trade associations, and other institutions help to set and enforce the rules under which competition takes place, and sometimes participate actively in the process of production and distribution.

There are two general types of queries fundamental to understanding policy issues. One concerns questions of fact or prediction: *What is known* about economic behavior? Or, if we undertake some action, what will be the predicted effects? The other type concerns questions of judgment or values: *What ought to be done* to alter economic behavior? Should we undertake a particular policy or not, given that various people and groups may be differently affected? The failure to distinguish between questions of *what is* and *what ought to be* is the cause of endless confusion and can lead to inappropriate policy analysis.

As we sort through the vast array of questions and issues coming at us from newspapers, television, political campaigns, and our involvement in economic life, we find that most of them can be grouped into the following three broad categories:

*One major set of issues concerns the relative role of private market forces and collective government actions.* On these issues we are interested in knowing "what happens," or what is likely to happen, in response to a change in the demand for, supply of, and the resulting price of individual goods and services. To changes in the supply and demand for labor and capital. To new developments in technology. These questions call for a description of how the total economic system or its parts behave under conditions of free competition and varying degrees of restriction. A related set of questions pertains to "what ought to be done." What ought to be done, say, when rising prices for individual products (e.g., oil, gasoline, sugar, or coffee) become a political issue? This involves thinking about whether to rely upon the operation of market forces or to rely upon collective action via government policy such as price ceilings, rationing, special taxes, and the like. Another way of phrasing the question is: When "should" direct government action be used to allocate resources differently from the way the price system would allocate them? For example, should local government act to allocate energy sources, such as oil or gas: Should government continue to subsidize shipbuilding, farming? Most of these questions concern economic efficiency. To consider appropriate public policy about such questions, one must first determine the consequences of choices, analyze them relative to desired results and values, and then make what one believes to be the most favorable policy decision. But other questions of collective action relate closely to economic equity. For example, should government raise gasoline taxes or use a direct quota rationing system to allocate relatively unlimited gasoline supplies? Only after a detailed examination of all the possible effects would one be in a position to reach a judgment.

*Another important category of issues relates to the economy's performance.* What "causes" inflation? What "causes" unemployment? What "should be done" about inflation or unemployment? What policies should be pursued when unemployment and inflation exist simultaneously? What "causes" economic growth? What are some of the benefits and costs of economic growth? What is the long-run relationship between economic growth, population, and employment? Between economic growth and the environment? What is the "appropriate" rate of growth? Should we attempt to speed up or slow down economic growth, or pursue a "no-growth" policy? What is the best way to carry out our policies?

*A third major category of issues relates to the distribution of income produced by the operation of market forces and the redistribution of government action.* Again, it is important to separate "is" from "should be" issues. What is the current distribution of income? What produces this distribution? To what extent does this distribution perpetuate itself? What is the effect of existing and of proposed government policies on income distribution? Should policies be adopted that are designed explicitly to change the distribution of income or economic well-being? Should the tax structure be made more or less progressive? Should schools continue to be financed largely by property taxes? Should policies designed to improve economic efficiency be adopted if they affect the distribution of income? Should government subsidize the housing of elderly and low-income renters? These issues, some immediately visible and others hidden just below the surface, appear to be critical to virtually all the questions posed earlier. They come up in any evaluation of how the market system works, in determining whether collective decisions alter individual economic decisions, and in assessing the extent to which inflation, unemployment, and growth affect the

general well-being of the population. Who gains and who loses, and who should gain and who should lose are the questions that best summarize what is at stake here.

There are several reasons why unequivocal answers to these and similar questions are not readily available. Economic systems are complex, and an understanding of these systems requires a conceptual framework, factual and cultural information, the application of analysis, the making of judgments, and the determination of action to be taken. Moreover, our ability to know exactly how effectively the economy and its components function is limited by difficulties in obtaining accurate and timely measurements of economic activity. Finally, a variety of unanticipated events affects economic activity, and thereby makes it difficult to predict accurately the results of specific economic decisions. Unlike the physical sciences, carefully controlled experiments are difficult to undertake in economics.

Even if our understanding of the economy and economic decision-making were vastly improved, we still could not expect all disagreements on economic issues and questions to be eliminated. Certainly, some disagreements will be resolved as our understanding is increased. Many disagreements will persist, however, because of differences in judgments about the actual or predicted effect of specific decisions, and still others will remain because individual economists, as do most individuals, adhere to different sets of values.

The heart of economics is decision-making—choosing among alternatives. But economic decisions are not made in a vacuum. Rather, they are made in the light of a set of goals. These goals vary from one society to another, from one group to another within a society, and from one individual to another within a group. Among the goals most evident in the modern world and particularly in American society are freedom, economic efficiency, equity, security, stability (full unemployment and the absence of inflation), and economic progress.

Economic decision-making involves the *opportunity cost principle*. It refers to what must be given up, i.e., to opportunities foregone when scarce resources are used to produce particular goods and services. A decision to produce one good entails giving up the possibility of producing something else that uses the same resources. The cost of producing that "something else" is the opportunity cost of producing the good chosen. For an individual, the opportunity cost of something purchased is the price of whatever could have been bought instead. Opportunity costs for a society are the costs of the alternative uses to which it could have put its productive resources.

A person or a group choosing one good instead of another is making a *trade-off*—that is, giving up less of one thing for more of something else. Society has to make trade-offs too, e.g., between its need for more energy and its desire to preserve the environment. Essentially this involves comparing the various costs and benefits of each of the alternatives and determining how these costs and benefits will affect different groups within the economic system.

Goals or criteria provide a means of evaluating the performance of not only an economic system and parts of it, but also of existing programs and proposed new policies. However, many of the goals conflict, and difficult trade-offs have to be made. Examples are farm price supports, which promote security but reduce efficiency; minimum wage laws, which can be though of as equitable but may increase teenage unemployment; and wage-price controls, which may restrain inflation, but also reduce efficiency and freedom. Economic analysis does not make explicit value judgments in these policy areas, but it does help people to understand the nature of the trade-offs so that they can form their own judgments in the light of their own values. Perhaps most important, it encourages use of a reasoned approach in dealing with controversial economic issues.

## 2. A Political Science Framework for Analysis of Policy Issues[2]

The political scientist uses certain major concepts to find meaning in the world of politics. These concepts direct attention to the significant qualities of any political system and provide measures of its effectiveness. As in other intellectual disciplines, there is considerable disagreement in political science about what things are important and how they should be studied. Nevertheless, while political scientists might argue about exact definitions and preferred approaches, the following concepts provide us with working tools for political analysis. Each of the problems we shall be addressing in this series is a problem of public policy, and thus its solution—or nonsolution—must involve political decision-making. These concepts will provide the means for understanding that process.

The first concept is *authority*. By this we refer to the legitimacy that a political leader or procedure or policy has. A political action is authoritative to the extent that it is accepted as right and proper by the community it affects. Authority, therefore, is a relationship that arises not from the will of governors but from the beliefs of the governed. What gives a political decision authority is usually its connection with some basic *procedure* or *institution* that the community views as a fundamental value. Often this is expressed by some historical event or document. For example, we say that the U.S. Constitution gives the President authority to command the armed forces and the Congress authority to declare war, while neither has authority to do both.

Of course there are many kinds of authority—in art, science, religion, and so forth—all involving standards of performance or truth. The distinctive aspect of political authority is in its relationship to social power. "The state," we often say, embodies the authority to make "final" decisions affecting social values or, more specif-

2. The statement of political science concepts was prepared by Professor Smith, with the consensus of the other political scientists involved in the project.

ically, to use coercive force. Political authority is a tricky concept because it is often confused with power and because its exercise almost always means that some members of the community must do things they don't want to do. This complicates the quality of approval implied by authoritative acts. Authority wanes as this complication grows.

Our second concept is *power*. Power is the capacity to get people to do things they would not otherwise do, with *political* power activating instrumentalities of collective sanction—customarily the state. Obviously, power has many sources. It can "come out of the mouth of a cannon" or it can rest on such forces as love, money, oratory, knowledge, or authority. Like authority, power expresses a relationship. It rests on shared values and unequal resources. Power is authoritative only when its exercise is accepted as legitimate by the community. When power goes beyond authority, deep conflicts occur in the community and governments must use more force and coercion to sustain themselves and carry out policies. We ordinarily think of democratic government as a model in which power and authority overlap and where explicit procedures of consent are used to determine authority. The distribution (who has how much) and exercise of power are thus key factors in the way problems of public policy are handled in the political system.

Although we have used the term "public policy" as if it were a simple and commonly understood concept, in recent years political scientists have given considerable attention to its meaning and analysis. One reason for this is that it is often difficult to know when an action is or is not part of a "policy," and when nongovernmental institutions actually might be "making" policy. For our purposes, this third concept refers to *patterns of action* by government that are directed at recognized social problems. Thus we think of public policy not as one action but as a *series* of actions having political authority and aimed at some coherent set of social needs. Policy, therefore, is something that results from what government does and that reflects the power, values, and skills of the political community.

In order to deal with the multiple group and individual actions that go into policymaking, political scientists often use the concept of *process*. This refers to the dynamic relationships—especially the relationships of influence—among those who take part in the various steps through which policy is suggested, formulated, authorized, changed, and so forth. Sometimes the "policymaking process" refers to what happens in the political system as a whole, and sometimes to actions leading to a particular policy or set of policies. In either case, process is always active in nature, and the term emphasizes that governing or policymaking cannot be described adequately by formal structures of authority or power.

This brings us to our fifth concept, *institutions*—well-established and "structured" patterns of behavior through which power is exercised and governmental actions are taken. Congress, the Presidency, the Supreme Court, political parties, elections, regulatory agencies, and city councils are all political institutions. Each of these is composed of a distinct structure of rules, procedures, roles, expectations and rewards; and each serves certain functions. In America institutional development is well advanced and policymaking is largely channeled through certain types of political institutions designed to "produce" policy. Since institutions are by definition well-established, and elements of their structure are often defined by formal rules (laws), political institutions tend to embody large amounts of authority in their respective areas of jurisdiction. Indeed, we often refer to persons who hold positions or offices in government as "authorities." So strong is this institutionalization that political activities outside of them are often viewed with suspicion, if not outright opposition. For example, street or courtroom demonstrations are usually treated as highly controversial and "out of order" in the American community.

Political institutions, therefore, tell us a lot about public policymaking. As embodiments of authority, they are preferred channels for political action and power. They are not only natural targets for those in the community who wish to influence policies, but also are guides to who has community power. For example, congressional committees are the focus of political activity by those community interests over which the committees have jurisdiction; hence, those same committees usually become biased in favor of those very interests. The same thing happens to regulatory agencies. It is easy to see, therefore, that most policy processes occur in and around institutions. Moreover, important relationships develop between political institutions and other types—economic institutions, for example. Business corporations, labor unions, and markets have close and complex ties to political institutions ranging from committees of Congress and federal regulatory agencies to small-town governments.

Our sixth and last concept is political *participation*—activities that are part of political decision-making, the results of which are supported by the power and authority of the state. The first point to be made about participation is its diversity. Voting is probably the form of participation most Americans would think of before any other, since free elections are an institution in America. But for those of us interested in public policymaking, other forms of participation are more useful—writing letters to members of Congress, direct lobbying, or contributing to political campaigns, for example. Bribing or assassinating or providing information to government officials are other examples. These remind us that some forms of participation are more legitimate, more costly, or more effective than others.

A second point about participation is apparent from the above description: some members of the community participate more than others. Although it is not easy to summarize the enormously complicated nature of this point, as a rule the more resources of wealth, skill, or status people have, the more and more effectively they participate. The fact that this generalization can be made

for every known political system has obvious implications for the distribution of power, the nature of policymaking, and the outcomes associated with policies. Democracies pride themselves on expanding participation, and this is a public value in the United States. Even so, the general relationship between resources and participation remains. Moreover, participation is greater in some areas of policymaking than in others. For example, fewer Americans "decide" the level of defense expenditures each year than where bridges will be built over inland waterways. Participation must be measured and judged not only in terms of amount, but also in terms of quality and breadth. Some men and women might participate with great intensity (and effect) in a relatively narrow area of policy, while others might participate over a wider range and with less effectiveness in any one area. Thus political participation is many-faceted and complex.

Looking back on the six concepts we have singled out for special emphasis in the understanding and application of political science, we see that each one in itself has a good chance of becoming an arena of controversy in the policymaking process: Does a particular policy represent an "abuse or a maldistribution of power"? Did the policy process wrongly exclude deserving groups in the community? Does government intervention constitute a "misuse of authority" or the "abridgment of rights"? The reason for this is that these concepts not only involve *description* and *analysis* of politics, but the *evaluation* of politics as well. Each carries with it values and standards: How much power is good? What extent of authority is proper? Who should participate, and in what way? And beyond this is the question of political *effectiveness*, the capacity of the political system to act, to work, to get things done. Remember that Mussolini was originally complimented because "he got the trains to run on time" (which later turned out to be questionable). So the effectiveness of a governing arrangement or or of a public policy also becomes (and hardly surprisingly) a criterion of value.

Finally, we are left with the question, "What is politics?" Political (or "public") authority, power, process, policy, institutions, and participation all involve conflicts of value. Politics is the working out of these conflicts so that policies are made and governments can function. In democracies politics is marked by bargaining, compromise, and accommodation, and it is this meaning of politics that is most common in America. Where there is policy unanimity within a political community or where policies are imposed on a community, there is no place for politics. Politics, therefore, occurs where there is conflict over social policies and where those conflicts are resolved with a minimum of value loss to any particular interest. Some members of the community will win, others will lose. Some will get more than others. But the gains and losses will be limited by the process of politics. Politics is often looked upon as a necessary evil, with suspicion and skepticism. But as you consider the different problems of public policy, and the conflicts and controversies over solutions that divide the community, imagine what policymaking would be without politics. It would be policymaking of absolute unanimity or absolute coercion, or both. Neither of these is consistent with our basic ideals of individuality and the free and vigorous expression of ideas.

## 3. Integrating Economics and Political Science

While economics and political science are separate disciplines, it is important to keep in mind that they have much in common, and that in effective analyses of public policy they almost always must be used together. Indeed, "political economy" itself has a long and distinguished tradition as an intellectual discipline. The similarities and differences between economics and political science are summarized in Figure 2.

Both economics and political science are concerned with human values and with the decisions about those values that have social consequences. Both disciplines are social sciences, which means that both have similar standards of scientific logic, evidence collection, and construction of theory. In short, they share a common emphasis on verified explanations of patterns of social life. Both, therefore, are concerned with social problems. See Part II in Figure 2 for a summary of the four steps in a rational approach to the study of social problems.

But the two disciplines differ in their framework for analysis, institutions, fundamental concepts, and type of evidence or "data" they most commonly employ. Economists and political scientists have therefore developed different areas of expertise. Economists are experts on the vast array of stable and changing conditions that are related to the distribution and exchange of goods and services. They concentrate their attention on the institutions or arenas where these economic decisions take place. The most notable arenas are what economists call "markets," in which prices are determined by the decisions of buyers and sellers. Here the data are commonly in the form of units of economic value—*money*—which have the great advantage of precision and comparability.

Political scientists, on the other hand, are experts on the distribution and use of social power and on the institutions through which that power is mobilized and made authoritative. Most notably, these are institutions of government, political parties, and elections. Since there are no measures of power or authority comparable to those of money and market value, political scientists use various forms of data to study politics, including votes, opinion surveys, laws, and judicial decisons. It is also true that just as economists recognize that actions of government affect economic conditions directly and indirectly, political scientists know that economic resources are sources of social power and that economic issues are a major element of politics.

Insofar as alternative social goals can be assigned economic values and markets exist in which those values can be expressed and measured, economic analysis can be used to judge the desirability of proposed policies. Cost-benefit analysis is one way of determining desirability: actions will be undertaken if the benefits exceed

## FIGURE 2

## THE SUBJECT MATTER OF POLITICAL ECONOMY:
### A Framework for Analysis of Political-Economic Policies and Issues

| ECONOMICS (Economic Science) | POLITICS (Political Science) |
|---|---|
| **FOUNDATION** | |
| THE ECONOMIC PROBLEM (Wants > Resources → Scarcity, i.e., our wants exceed available resources and therefore scarcity exists) | THE POLITICAL PROBLEM (Conflicts of interest) |
| **THUS** | |
| I. Political economy is the study of the **methods** by which society— | |
| employs its resources (human, capital, natural, time) productively for the fulfillment of human wants. | resolves conflicts of interest over the authoritative allocation of values; thus a study of power. |
| Toward these ends | |
| Economics is a study of how a society decides— | Politics is a study of how a society decides— |
| a. **What** wants to produce (i.e., what wants to fulfill) and **how much** to produce | a. **What** goal values are to be sought and given authority |
| b. **How** to produce most efficiently (i.e., how to allocate resources most productively to their alternative possible uses) | b. **How** societies are to be organized for the pursuit and use of power and authority (i.e., mechanisms for resolving conflicting values, achieving social goals) |
| c. **For whom** to produce (i.e., who is to get what and how much and how is this to be decided) | c. **For whom** the organization exists (i.e., who gets what; whose goals are served?) |
| II. Political economy is the study of **social problems** relating both to the functioning of the organization as a whole and to its particular institutions. | |
| Both economics and political science usually employ a problems approach involving four steps— | |
| a. **Definition of the Problem**—What desired goals are believed to be inadequately served by existing institutions? How does "what is" conflict with what many think "ought to be"? | |
| Economics is concerned with problems relating particularly to the goals of— | Politics is concerned with problems relating particularly to the goals of— |
| 1. Efficiency and productivity | 1. Justice in the exercise of power |
| 2. Growth | 2. Equity in the distribution of power (income, deference, security, influence) |
| 3. Stability (both full employment and general price stability) | 3. Freedom (both limits on the use of power and access to resources needed to realize individual potential. |
| 4. Security | 4. Effectiveness |
| 5. Equity in the distribution of income | |
| b. **Understanding of the problem**—What concepts, what analytical tools, what facts do economics and political science have to contribute to an understanding of the problem and its proposed solutions? | |
| What do we know about how productively resources are being employed for the fulfillment of human wants related to the problem and the consequences for other values? | What do we know about value conflicts (i.e., conflicts of interest) related to the problem, how they are being resolved, and the resulting allocation and use of power? |
| c. **Public policy alternatives**—What are their economic and political implications? How may citizens, as individuals and groups, influence policy decision-making? | |
| What will be the probable consequences, both in the short run and long run (the seen effects and the unseen), for the economic goals stated above? | Who is proposing what and why? How does private interest relate to public interest? What are the probable consequences for the political goals identified above? |
| Thus what policy alternatives will bring the greatest net realization of values? | |
| I.e., a more optimal allocation (use) of resources (so that their marginal value products in all alternative uses will be equal). | I.e., resolution of the problem with a minimum value loss to any participant and a maximum value gain to all. |
| Which policy alternative is most compatible with one's economic philosophy (i.e., one's view of the proper role of government in relation to the economy)? | |
| d. **Action**—How may one implement one's views? | |
| How does one act as consumer, producer, as a member of an interest group to bring about desired changes? | How may one as a citizen or leader participate in politics to be most effective in bringing about desired changes? |

the costs, but will not be undertaken if the costs exceed the benefits.

When, however, human values cannot be measured as economic goods, or when markets are for some reason (such as monopolies) not effective in their pricing and distribution functions, then policy decisions tend to be moved from the economic to the political arena. The realm of politics can encompass conflicts among alternative human values and social goals of all sorts, with the resulting policies being enforced through the power and authority of government. For each of the social problems treated in this series, you will find it interesting to observe how economic and political factors together contribute to both the cause and possible solutions of the problems and how scientists analyze in their distinctive ways what the problems are and how they might be solved.

While we recognize the importance of the other social sciences and the extent to which they enhance one's understanding of public problems and issues, our aim here is to combine only two of these disciplines: economics and political science. The teacher resource materials contained in this and other units in the series provide concrete illustrations of how economics and political science may be combined to enable students (1) to analyze and understand policy issues and (2) to participate effectively in the political process through which policy alternatives are examined, promoted, and acted upon.

# TOPIC OVERVIEW

## PERSPECTIVES ON CRIME AND PUNISHMENT

JOHN H. GEORGE, JOHN S. MORTON, AND LORRAINE H. SCHEER

### Introduction

Fear of crime is a major worry among Americans. And no wonder. One's own experiences, news reports, and stories from neighbors, friends, and relations amply attest to the pervasiveness of crime in our society. Moreover, the anecdotal evidence is clearly reflected in national statistics. The numbers show that the perpetration of crime (see Table 1) has been increasing for at least two decades, and increasing faster than the growth of the population.

There appears to have been some slackening in the rise of criminal activity during the second half of the 1970s. But the statistics for 1979 suggested a reversion to the previous trend. And all along the nature of the crime committed has been turning uglier.

Murder, for example, used to be thought of mainly as a crime of passion—an outgrowth of quarrels between husbands and wives, lovers, neighbors, or other relatives and friends. In fact, most murders still involve victims and offenders who know one another, but since the early 1960s murder at the hand of a stranger has increased nearly twice as fast as murder by relatives, friends, and acquaintances. (Much of the latter increase involves killings growing out of rivalries between drug dealers and youth gangs.) In Chicago, for which detailed figures are available, the number of murders of the classic crime-of-passion variety rose 31 percent between 1965 and 1973; in that same period, murders by strangers—"stranger homicides," as criminologists call them—more than tripled.

Rape has been changing in a similar direction. In 1967, people known to the victim—estranged husbands and lovers, other relatives and friends, and casual acquaintances—were responsible for nearly half the rapes that occurred. (Some studies put the proportion even higher.) In 1975, two-thirds of all rape victims were attacked by strangers, with such attacks accounting for virtually the entire 140 percent increase in the number of reported rapes since the mid-1960s.

On the other hand, robbery—taking money or property from another person by force or the threat of force—has always been a crime committed predominantly by strangers. The chances of being robbed have more than tripled since the early 1960s, a larger increase than that registered for any other major crime. Robbers are more violent than they used to be: nowadays, one robbery victim in three is injured, compared to the 1967 ratio of one in five. Although firm figures are hard to come by, it would appear that robbery killings have increased four- or five-fold since the early 1960s, accounting for perhaps half the growth in stranger homicides.

The most disturbing aspect of the growth in "street crime" is the turn toward viciousness, as well as violence, on the part of many young criminals. A lawyer who was a public defender noted for her devotion to her clients' interests, as well as for her legal ability, speaks of "a terrifying generation of kids" that emerged during the late 1960s and early '70s. When she began practicing . . . adolescents and young men charged with robbery had, at worst, pushed or shoved a pedestrian or storekeeper to steal money or merchandise; members of the new generation kill, maim, and injure without reason or remorse. . . .

For a long time, criminologists, among others, tried to pooh-pooh talk about a rise in street crime. . . . But the increase has been too large, and conforms too closely to people's day-to-day experience, to be dismissed as a statistical illusion. The fact is that criminal violence has become a universal, not just an American, phenomenon. Once crime-free nations, such as England, Sweden, West Germany, the Netherlands, and

France, as well as more turbulent countries, such as Italy, are now plagued with an epidemic of murder, kidnapping, robbery, and other forms of crime and violence—some of it politically inspired, all of it criminal in intent and consequence. (Within the United States, crime has increased more rapidly in suburbs and small cities than in large cities.) Wherever one turns—in virtually every free nation except Japan—people are worried about "crime in the streets."[1]

## The Incidence of Crime

Of necessity, data on crimes in part depend on the number reported to the police. Consequently, when the statistics rise, one factor may be a greater tendency for the public to notify the police of the crimes to which it has been subjected. Conversely, of course, declines or smaller increases may be the result of less notification to the police. It is probable that greater or lesser disclosure by the public results from changing confidence in the efficiency of the police or changing perceptions of how willing the police are to act when victims do report crimes.

Another reason available national crime data are incomplete and unsatisfactory is the recording practices of the police themselves. Some police forces may at times fail to record notifications of crime because they feel the complaints are unwarranted (e.g., the result of a family grudge), or because certain crimes are difficult to solve and therefore make police performance on arrests look poor.

The national crime statistics in Table 1 are from *The Uniform Crime Reports*—UCR—of the Federal Bureau of Investigation. These figures not only depend on those crimes of which the police have knowledge or have recorded, but also on whether the police report them all to the FBI. Thus, the Uniform Crime Reports are not based on uniform reporting standards. The UCR concentrate on seven major categories of crime—the so-called Index crimes or Part I offenses that the table shows. Index crimes do not include the other categories of crime—Part II offenses—that are reported to the FBI: other assaults; arson; forgery and counterfeiting; fraud; embezzlement; buying, receiving, or possessing stolen property; vandalism; carrying or possessing weapons; prostitution and commercialized vice; sex offenses; violations of narcotic drug laws; gambling; offenses against family and children; driving while intoxicated; violations of liquor laws; drunkenness; disorderly conduct; vagrancy; all violations of state or local laws except as mentioned above; suspicion; curfew and loitering (juveniles); and runaways (juveniles).

Some notion of the reliability of the UCR figures can be inferred from surveys conducted by the U.S. Bureau of the Census for the Law Enforcement Assistance Administration (LEAA) of the U.S. Department of Justice. These LEAA "victimization" surveys of the population at large show, as one might expect, that the number of incidents of crime people say occurred the preceding year is greater than the number of offenses the UCR reports for that year. However, the ratio between victimizations and crimes as reported by the UCR system remains fairly stable. Therefore, although the FBI's figures understate the amount of crime committed, there seems to be a little doubt about the essential accuracy of the overall trends depicted in the Uniform Crime Reports during the last fifteen to twenty years.[2]

## The Costs of Crime

If information on the incidence of crime is less than complete, information on the cost of crime is even more so. Some difficult problems are involved in determining "true" costs. How does one measure the cost to society and to individual citizens because people avoid entering the "downtown" areas of certain cities at night because of fear of robbery or assault? How much business endeavor is discouraged or how much must businesses raise prices because of "protection" rackets?

Of course, many other costs of crime can be reasonably ascertained or accounted for by specific estimating procedures. Losses suffered by individuals because of crime can be calculated in many different ways. The cost of crimes against property can be measured by the value of the property lost or damaged. The cost of crimes against persons can be assessed by estimating the loss of lifetime income for victims of murder and the temporary loss of income for victims of assault. However, what economists call the psychic—i.e., psychological or emotional—costs of crimes against persons or property often far outweigh the money costs. And income lost because of a crime against an individual can have serious effects on others who depend on the victim's income.

The costs of other criminal activities such as prostitution, illegal gambling, and street sales of narcotics can be approximated by estimating the amounts paid to the suppliers. Governments, of course, lose tax revenues because people who derive income from illegal activities in general do not report it to the tax authorities. This tends to raise the taxes levied on those who earn income legally and report it. Similarly, the costs of fraudulent insurance claims, many of which are made by otherwise law-abiding citizens, is reflected in increased insurance rates for all buyers. Additional costs are incurred in the prevention of crime, the prosecution of those charged with crime, and the rehabilitation of convicted criminals.

Crimes against business, ranging from petty shoplifting to major fraud, are also measurable in principle, although the total dollar value can only be estimated. The cost of crimes against business is far larger than the cost of the specific crimes themselves. If a business ceases operations because of losses incurred through thefts of one kind or another, the employees lose jobs and the owners lose much of their investment. Going

1. Charles E. Silberman, *Criminal Violence, Criminal Justice* (New York: Random House, 1978), pp. 4–5.

2. This is the conclusion Silberman comes to in the appendix to *Criminal Violence, Criminal Justice*, from which some of the above material on the UCR statistics has been adapted.

## TABLE 1. Crime and Crime Rates

(Data refer to offenses known to the police. Rates are based on Bureau of the Census estimated population as of July 1, excluding armed forces abroad.)

| | | Violent Crime | | | | | Property Crime | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | Total | Total | Murder[a] | Forcible Rape | Robbery | Aggravated Assault | Total | Burglary | Larceny-Theft | Motor Vehicle Theft |
| **No. of offenses (thous.)** | | | | | | | | | | |
| 1967 | 5,903 | 500 | 12.2 | 27.6 | 203 | 257 | 5,404 | 1,632 | 3,112 | 660 |
| 1968 | 6,720 | 655 | 13.8 | 31.7 | 263 | 287 | 6,125 | 1,850 | 3,483 | 784 |
| 1969 | 7,410 | 662 | 14.8 | 37.2 | 299 | 311 | 6,749 | 1,982 | 3,889 | 879 |
| 1970 | 8,098 | 739 | 16.0 | 38.0 | 350 | 335 | 7,359 | 2,205 | 4,226 | 928 |
| 1971 | 8,588 | 817 | 17.8 | 42.3 | 388 | 369 | 7,772 | 2,399 | 4,424 | 948 |
| 1972 | 8,249 | 835 | 18.7 | 46.9 | 376 | 393 | 7,414 | 2,376 | 4,151 | 887 |
| 1973 | 8,718 | 876 | 19.5 | 51.4 | 384 | 421 | 7,842 | 2,566 | 4,348 | 929 |
| 1974 | 10,253 | 975 | 20.7 | 55.4 | 442 | 456 | 9,279 | 3,039 | 5,265 | 977 |
| 1975 | 11,257 | 1,026 | 20.5 | 56.1 | 465 | 485 | 10,230 | 3,252 | 5,978 | 1,001 |
| 1976 | 11,305 | 997 | 18.8 | 56.7 | 420 | 491 | 10,318 | 3,050 | 6,271 | 958 |
| 1977 | 10,936 | 1,010 | 19.1 | 63.0 | 405 | 523 | 9,926 | 3,052 | 5,906 | 968 |
| 1978 | 11,141 | 1,062 | 19.0 | 67.1 | 417 | 558 | 10,080 | 3,104 | 5,983 | 992 |
| 1979 | 12,153 | 1,179 | 21.5 | 76.0 | 467 | 614 | 10,974 | 3,299 | 6,578 | 1,097 |
| **Aver. annual percent change** | | | | | | | | | | |
| 1967–1970 | 11.1% | 13.9% | 9.5% | 11.3% | 19.8% | 9.2% | 10.8% | 10.6% | 10.7% | 12.0% |
| 1971–1975 | 7.0 | 5.9 | 3.6 | 7.3 | 4.6 | 7.1 | 7.1 | 7.9 | 7.8 | 1.4 |
| 1976–1978 | −0.7 | 3.8 | 2.1 | 8.8 | [b] | 6.6 | −1.2 | 0.6 | −2.3 | 1.8 |
| 1978–1979 | 9.1 | 11.0 | 9.7 | 13.2 | 12.0 | 10.1 | 8.9 | 6.3 | 9.9 | 10.6 |
| **Rate per 100,000 people** | | | | | | | | | | |
| 1967 | 2,990 | 253 | 6.2 | 14.0 | 103 | 130 | 2,737 | 827 | 1,576 | 334 |
| 1968 | 3,370 | 298 | 6.9 | 15.9 | 132 | 144 | 3,072 | 932 | 1,747 | 393 |
| 1969 | 3,680 | 329 | 7.3 | 18.5 | 148 | 155 | 3,351 | 984 | 1,931 | 436 |
| 1970 | 3,985 | 364 | 7.9 | 18.7 | 172 | 165 | 3,621 | 1,085 | 2,079 | 457 |
| 1971 | 4,165 | 396 | 8.6 | 20.5 | 188 | 179 | 3,769 | 1,164 | 2,146 | 460 |
| 1972 | 3,961 | 401 | 9.0 | 22.5 | 181 | 189 | 3,560 | 1,141 | 1,994 | 425 |
| 1973 | 4,154 | 417 | 9.4 | 24.5 | 183 | 201 | 3,737 | 1,223 | 2,072 | 443 |
| 1974 | 4,850 | 461 | 9.8 | 26.2 | 209 | 216 | 4,389 | 1,438 | 2,490 | 462 |
| 1975 | 5,282 | 482 | 9.6 | 26.3 | 218 | 227 | 4,800 | 1,526 | 2,805 | 469 |
| 1976 | 5,266 | 460 | 8.8 | 26.4 | 196 | 229 | 4,807 | 1,439 | 2,921 | 446 |
| 1977 | 5,055 | 467 | 8.8 | 29.1 | 187 | 242 | 4,588 | 1,411 | 2,730 | 448 |
| 1978 | 5,109 | 487 | 9.0 | 30.8 | 191 | 256 | 4,622 | 1,424 | 2,744 | 455 |
| 1979 | 5,521 | 535 | 9.7 | 34.5 | 212 | 279 | 4,986 | 1,449 | 2,958 | 498 |
| **Aver. annual percent change** | | | | | | | | | | |
| 1967–1970 | 10.1 | 12.9 | 8.4 | 10.1 | 18.6 | 8.3 | 9.8 | 9.5 | 9.7 | 11.0 |
| 1971–1975 | 6.1 | 5.0 | 2.9 | 6.4 | 3.8 | 6.1 | 6.2 | 7.0 | 6.9 | 0.5 |
| 1976–1978 | −1.5 | 3.0 | 1.2 | 8.0 | −1.2 | 5.7 | −1.9 | −.6 | −3.0 | 1.0 |
| 1978–1979 | 8.1 | 10.0 | 7.8 | 12.0 | 10.9 | 9.1 | 7.9 | 5.3 | 8.9 | 9.6 |

**Source:** *Statistical Abstract of the United States, 1980,* U.S. Department of Commerce, Bureau of the Census (Washington, D.C.: Government Printing Office, 1980), page 182.

[a] Includes non-negligent manslaughter

[b] Less than 0.5 percent.

businesses include the cost of crimes committed against them, their outlays for security personnel or special security devices, and the cost of premiums for crime insurance in their expenses of doing business. Because crime raises business' costs, it also raises the prices firms must charge and thus increases the amount consumers pay for their purchases.[3]

In short, those who commit crimes against "big business," supermarkets, or any other kind of business with the excuse or the pretext that the offender is retaliating against giant and impersonal companies or against unduly high profits and "rip-offs" are usually doing no such thing. Such acts generally cause prices for other consumers to go up or the number of jobs available for ordinary working people to be curtailed or eliminated.

Crimes against business are basically of two types. Those committed by customers or other outsiders and those committed by employees. Employee crime is often classified into "blue collar," typically ranging from petty pilfering from inventory to major larceny, and "white collar," typically consisting of embezzling funds, accepting bribes, cheating on expense accounts, and the like.

Of course some crimes are committed by business executives on behalf of their organizations. They may, for example, defraud insurance companies, overcharge consumers or sell them inferior goods, use illegal tactics against competitors, or engage in securities operations that are forbidden.

## Attitudes toward Crime and Criminals

There have been, in general, two traditional attitudes about the genesis of crime and criminal behavior. One is basically sociological and psychological. It maintains that most crime results from social problems: poverty, slum environments, broken families, youth unemployment, poor education, social inequalities, racial discrimination. The associated solutions for the prevention of crime are to ameliorate these conditions or to re-educate or rehabilitate those who have already become criminals because of such conditions. Views of this kind have apparently been losing support in recent years because the preventive and rehabilitative efforts based on them have seemingly failed to stop the increase in crime.

The other attitude is essentially moralistic and blames crime on social laxity. Nowadays, the charge of laxity is based on perceptions or beliefs that judicial decisions hinder law enforcement, sentencing procedures are too light, penal practices lack sufficient severity, excessive permissiveness prevails in homes, schools, and society at large, religious teaching is declining in influence, and government welfare programs are overly generous and consequently weaken the recipients' sense of social responsibility. The associated solution is, of course, greater "toughness" in all relevant spheres.

3. A whole series of other costs are incurred in order to prevent crime or to deal with crime after it has happened. Costs incurred in the criminal justice system are discussed later.

## An Introduction to the Economics of Crime

Economists who have analyzed crime and criminal behavior take a different line, although it is one that in some respects is related to the second of the above two approaches. They regard crime as a rational choice of alternatives. On this view, people commit a particular crime or turn to a life of crime because they believe the advantages outweigh the disadvantages, a calculation that may be made in nonmonetary as well as in monetary terms.[4]

The economic approach is relatively recent and has contributed an added dimension to the study of crime. Sociology and criminology still dominate the analysis of the problem—as political science still dominates the analysis of criminal justice—but in the last two decades or so, economics has been offering a competing perspective.

It would be something of an exaggeration to call the perspective of economics altogether new. Rather, economics has provided more systematic analysis and a new rationale to the age-old idea that the way to curb crime is to use punishment as a deterrent to criminals—a key concept in the literature of crime, criminals, and criminal justice. The heart of the contribution of economics to the doctrine of deterrence is its insistence on the importance of an individual's appraisal of the gains to be obtained from a contemplated crime. In effect, the decision to commit a crime is seen as resulting from an assessment of the *possible net benefits* compared to the *possible net costs* of committing that crime. The general name economists give to such a reckoning is "cost-benefit analysis."

The economic approach thus maintains that crimes—apart from those of unbridled passion, unslakable greed, or psychological compulsion—are committed as the result of rational calculation. Other approaches in general lay the causes of crime to the personal characteristics and/or the social and family background of the criminal. An economist might agree that these may indeed be the wellsprings of criminal behavior yet still maintain that they do not explain why or why not such behavior actually takes place. And since sociological approaches to the phenomena of crime and its prevention have not been notably successful, the simpler, clear-cut economic approach commands attention. At the very least, the hypothesis of economists provides some new insights, and may even lay the groundwork for more fruitful policies of crime prevention.

Since the sociological/criminological viewpoints have traditionally dominated public discussion, college courses in social science that teachers are apt to have taken, and textbooks dealing with crime or criminals, this overview lays more stress on the viewpoints stem-

4. Nonmonetary calculations may well include psychological or social factors. For example, the discipline associated with holding a "regular" job may be viewed negatively. The relative lack of discipline and of need to adhere to regular hours that seem typical of many careers in crime may be viewed positively as benefits that offset the cost of being caught and convicted.

ming from economics. The lessons that follow this overview, however, comprehend both.

It should be kept in mind that the effort to apply a "rational" calculation to the analysis of criminal behavior is not only of comparatively recent vintage, it also represents the work and attention of a relatively small proportion of economists. It is therefore impossible to say whether the application of economic reasoning to the problems of crime as yet commands the assent of the overwhelming majority of the economics profession.[5] Whatever the case, the economics approach to crime is thought-provoking and invites controversy, thus further enlivening and enriching a subject already of inherent interest to students. The approach also serves a more utilitarian purpose: the enhancement of student ability to use the concepts and analytic methods of economics. Lesson 4 is partially designed for just this purpose.

Another point to remember is that the economic analysis presented here stresses the decision-making process of the potential criminal. Society (or government), of course, engages in an analogous process when it tries to compare the probable benefits to the probable costs of particular actions to prevent crime, for example, proposals to increase the patrolling of streets, the improvement of lighting on public thoroughfares, the building of stronger fences to safeguard property. How much should be spent? Are the potential gains at least as great as the expenditures? Should the costs be borne by government or by private individuals or organizations? Such assessments—also a form of cost-benefit analysis—are only lightly touched on below, but are an important aid to rational decision-making for public policy purposes.

There are other types of crime prevention that may come about more or less inadvertently. One example is the crime prevention effects of social programs which may not have been expressly designed for such a purpose. Here is an enlightening instance.

The importance of incorporating benefits from reduced crime into program evaluations is illustrated by a recent benefit-cost analysis of the Job Corps, which estimated that for the first year following enrollment the benefits from reduced criminal activity were three times the corresponding benefits from increased earnings. The probability of arrest during this first postenrollment year was estimated to have declined by 20 percent for Corpsmembers, and particularly large reductions were estimated for arrests for burglary and larceny. The value of this reduction was estimated to be about $765 per Corpsmember. One the other hand, the increase in earnings at the end of the first year was estimated to be approximately $5 per week per Corpsmember, or approximately $260 annually. Thus, total program benefits would have been underestimated seriously if the analysis had focused only on postprogram earnings gains and ignored the benefits from reduced crime.

. . . . It should be pointed out that the $765 per Corpsmember benefit represents only the *direct* resource savings from crime. There would be additional benefits as Corpsmembers reduce their criminal activities. The largest of these benefits would be the increased market output (measured by market wages) produced by program participants. Other related benefits would include reductions in the abuse of drugs and alcohol, the use of drug or alcohol treatment, or the use of transfer programs (AFDC [Aid to Families with Dependent Children], General Assistance, Food Stamps, etc.).[6]

## The Economics of Crime—Some Specifics

Timothy H. Hannan has provided a lucid introduction to the economic theory of crime as rational choice-making:

Economists have long viewed people as making, in their own estimations, the best choices among available alternatives. A consumer who chooses margarine over butter does so either because to him it tastes better, its price is lower, or both. Given a choice between bricklaying and farming, a worker chooses bricklaying either because he would rather lay bricks than plant corn, because bricklaying pays better, or both. People try to choose the best options available to them, and decisions to engage in many different types of criminal activity may simply be another example of this type of behavior. Crime, whether it is motivated by the desire for income or some nonmonetary gain, can be thought of as a choice, and as economists would have it, that choice in many cases may be no less rational than the everyday choices people make in determining what products to buy or what occupations to pursue.

The fact that crime is illegal and carries the possibility of a fine or prison sentence need not imply that the decision to engage in it is irrational. After all, the world is filled with people who have voluntarily chosen "risky" occupations over relatively safe ones. Jet pilots, steeplejacks, and matadors all face the possibility of disaster in their chosen occupations. Yet, to conclude that their choice is irrational is to disregard the relative gains and costs that they derive from their chosen occupations. All things considered, a "dangerous" occupation may be the best available alternative, and the decision to engage in crime need not be an exception.

It is true, of course, that people are often not certain of the consequences of their behavior and may make choices which later prove to be mistakes. Because they choose a course of action without full information, some criminals may incorrectly weigh the advantages and disadvantages of engaging in crime, as opposed to pursuing the "straight and narrow." A mugger or burglar on his first job can be "collared" and sentenced to many years in prison. But such an occurrence may simply be the result of an incorrect but rational decision made on the basis of incomplete information. Like the test pilot who crashes or the businessman who goes bankrupt, the

5. The economist Philip J. Cook has advanced a thoughtful cautionary view. See his "Punishment and Crime: A Critique of Current Findings Concerning the Preventive Effects of Punishment," *Law and Contemporary Problems*, Winter 1977, pp. 164–204, Sect. 5. It has been reprinted in *The Economics of Crime*, a book of readings edited by Ralph Andreano and John J. Siegfried (New York: Wiley, 1980).

6. Craig V. D. Thorton, "The Social Benefits of Reductions in Crime," *The MPR Newsletter*, No. 2, Spring 1980, pp. 12-14 (MPR refers to Mathematica Policy Research, Inc., of Princeton, N.J.).

criminal can make rational choices that later prove to be mistakes.

None of this denies that some people are more emotional than others or that rational choice plays less of a role in some types of crime than it does in others. Many who engage in the so-called crimes of passion, for example, may be devoid of all reason and rationality, but it is by no means obvious that *all* such offenders act with complete disregard for the consequences of their behavior. If this is true, then viewing the criminal as rational can have at least limited applicability even to the most violent or impulsive of crimes.[7]

The underlying idea, namely that punishment deters crime, can be illustrated by reference to a common problem of the classroom—cheating. What can teachers do to deter cheating? Richard B. McKenzie and Gordon Tullock report on the results of one study:

> Charles Tittle and Alan Rowe, both sociologists, designed a study to determine the influence that moral appeal and threat of sanction had on the amount of cheating that went on in their classes. To do this, they gave weekly quizzes to their students; the instructors took the quizzes, graded them, without marking the papers, and then at the next class meeting, returned them to the students for them to grade. Without any appeal being made to the students that they were on their honor to grade them correctly, the students in one test group took 31 percent of all opportunities to cheat; the other test group took 41 percent of all opportunities. Next, the instructors made an appeal to the students' sense of morality in grading the papers, and the instructors concluded that "emphasizing the moral principle involved in grading the quizzes was also ineffectual. A moral appeal had no effect whatsoever in reducing the incidence of cheating." In fact, in one of the test groups, the amount of cheating went up substantially after the appeal was made. Finally, the instructors threatened to spot check the quizzes for cheating and the amount of cheating fell sharply from the 41 percent range to 13 percent in one class and from 43 percent to 32 percent in the other. They also concluded from the study that the instructor who had a reputation of being "lovable and understanding" had the greater amount of cheating in his class, and they found that ". . . Those who were most in need of points were willing to take greater risks [that is, cheated more]. This is consistent with the theory that the greater the utility of an act, the greater the potential punishment required to deter it. And perhaps it shows the futility of a moral appeal in a social context where all individuals are not successful."[8]

Tullock has given some additional insights into the economists' point of view as well as a brief account of the economic research used to substantiate such a view:

> Most economists who give serious thought to the problem of crime immediately come to the conclusion that punishment will indeed deter crime. The reason is perfectly simple: . . . If you increase the cost of [doing] something, less will be [done]. Thus, if you increase the cost of committing a crime, there will be fewer crimes. The effect might be small; but there should be at least some effect.
>
> Economists, of course, would not deny that there are other factors that affect the total number of crimes. Unemployment, for example, quite regularly raises the amount of crime and, at least under modern conditions, changes in the age composition of the population seem to be closely tied to changes in the crime rate. The punishment variable, however, has the unique characteristic of being fairly easy to change by government action. Thus, if it does have an effect, we should take advantage of that fact. . . .
>
> The first econometric [mathematical/statistical] test of this theoretical deduction from economics was [completed] by . . . Arleen Smigel Liebowitz . . . [in 1965]. The basic design of this research project was reasonably sophisticated, although . . . it has been improved upon since then. Leibowitz used as her basic data the crime rate and the punishment for a number of different crimes in each state in the United States. She took into account both the severity of punishment (i.e., the average prison sentence), and the probability that punishment will actually be imposed (i.e., the percentage of crimes whose perpetrators are caught and sent to prison). A number of essentially sociological factors that might affect the crime rate were also included in her [analysis]. Liebowitz's findings revealed an unambiguous deterrence effect on each of the crimes studied—that is, when other factors were held constant, the states which had a higher level of punishment showed fewer crimes. Such crimes as rape and murder were deterred by punishment just as well as (indeed, perhaps better than) burglary and robbery.[9]

Tullock goes on to point out that Liebowitz's results have been obtained by other investigations, both by using similar approaches and data and by using different techniques. It must be added that there has been criticism of studies of this kind, some of it coming from economists. While economists—and many others—agree that punshment deters crime, in some cases economists who have studied economic research on the effects of deterrence have called the methodology weak, and have concluded that critical questions about the situations in which the deterrence occurs—type of crime, type of offender, type of community—largely remain unanswered.

## A Closer Look at Punishment as a Deterrent

Punishment may be viewed as a principal deterrent to crime, but it performs other vital functions: a society metes out punishment in order to enforce its laws and some of its basic moral codes; it also attempts to redress the damage inflicted on the social fabric when a crime is committed. Punishment enables society to ensure that justice is done and is seen to be done.

Punishment is also administered to prevent the break-

7. Timothy H. Hannan, "Criminal Behavior and the Control of Crime: An Economic Perspective," *Business Review*, Federal Reserve Bank of Philadelphia (1974), pp. 3-4.
8. Richard B. McKenzie and Gordon Tullock, *The New World of Economics* (Homewood, Ill.: Irwin, 1978), pp. 207-208.
9. Gordon Tullock, "Does Punishment Deter Crime?" *The Public Interest*, Summer 1974, pp. 104-105.

ing of laws or to prevent those who have already broken a law from doing so again. Deterrence can be accomplished by execution, by imprisonment, or by some form of oversight (e.g., probation or parole).

Disputes about the deterring effect of punishment tend to center on whether and how much deterrence would be increased by speedier, longer, or more severe punishment than exists at any given time.

The evidence is much clearer on another point: that greater *certainty* of punishment has more deterrent effect than greater *severity* of punishment. It seems to be the case that whatever the existing amount of severity, an increase in certainty of punishment will be more effective than a roughly corresponding increase in severity.

Practically speaking then, if there is any need to choose between spending additional money or effort on increasing the certainty of punishment as opposed to making it more severe, under current conditions it appears that making punishment more certain is the more productive choice. As economists would put it, given our present efforts to deter crime, greater benefits would accrue from devoting any additional efforts—i.e., efforts at the margin—to achieving greater certainty of punishment than to making punishment more severe. This is an application of "marginal analysis."

Marginal analysis can in one sense be construed as a refinement of cost-benefit analysis. In marginal analysis, the effects of making small changes in existing conditions are studied in order to see whether any desired net improvement in these conditions can be achieved. In such an analysis, successive changes from the initial postion are examined until the point is reached at which no further change will improve the situation.

Silberman, in an implied use of marginal analysis, claims that without greater certainty of punishment, an increase in severity would have little deterrent effect on potential offenders:

> [O]urs is a system in which certainty of punishment is low and severity high; for any one crime, although not for a criminal career, the chances of being caught are small. . . . [C]ertainty of punishment may be increased if the police solve more crimes, if prosecutors prosecute and convict a higher proportion of those who are arrested, or if judges give prison sentences to a higher proportion of those who are convicted.[10]

Rehabilitation may be used in addition to deterrence for those who have already been convicted. By and large, however, rehabilitation does not work, whether in the form of psychotherapy, education, vocational training, social work counseling, or any combination of these or still other approaches—including imprisonment.

## Crime and Opportunity Costs

The cost-benefit analysis of deterrence is not the only idea drawn from economics that throws light on the decision-making processes of criminals. The concept of opportunity cost, which refers to what is forgone if a choice is made to do one particular thing, is also relevant. For example, a student who chooses to stay home in order to watch some favorite television programs cannot attend an athletic event scheduled for the same night. Assuming that both activities are free, that student, in effect, decides that the pleasure to be enjoyed by watching television will exceed (or at least not be less than) the pleasure forgone of not attending the athletic contest.

The concept of opportunity cost has two main applications respecting criminal behavior. At least some of those who take up crime as a career—people such as professional "racketeers," pickpockets, burglars—do so on the calculation that their prospective earnings exceed the income they forgo by not taking up legitimate employment. An extreme example would be that of a teenager living in the slum of a large city who scorns a job stacking goods in a grocery store in favor of netting more—perhaps considerably more—by peddling illegal drugs.

Another application has to do with the probability of finding a job. If one is criminally inclined and unemployed, and feels that chances of getting a job are small or nonexistent, the opportunity cost of turning to crime—i.e., the wages forgone of possible legitimate employment—will seem minimal. Such assessments may well have contributed to the large increase in crimes committed by young people since about 1960.

It is quite usual for young people in many countries, particularly young men, to have a crime rate higher than the rest of the population. But the number and share of crimes committed by youths has climbed alarmingly, conspicuously so in the United States. The data for those still of school age is quite striking. From 1960 to 1979, arrests—for "serious" as well as other crimes—of those aged 18 or older about doubled, while arrests of those under 18 quadrupled.[11] In 1979, some 39 percent of all arrests for serious crimes involved people under 18 (607,100 males, 136,200 females). Their main infractions were against property rather than persons; 44 percent of all arrests for burglary, larceny, and motor vehicle theft were of youngsters under 18.

It is worth noting here that juvenile crime also hits the schools hard. The latest data for the nation as a whole were compiled for 1975 by the FBI. It reported that some 70,000 teachers and hundreds of thousands of students were physically assaulted, while the cost of vandalism reached approximately $600 million—which was about equal to the schools' bill for textbooks.

One reason for the rise in crime committed by the young has simply been the huge increase—absolute and relative—in their numbers. Due to the very high U.S. birth rates in the decade or so after World War II, the population of those 15 to 24 years old—to take a convenient definition of the young—soared from about 23

10. *Criminal Violence, Criminal Justice*, p. 192.

11. The difference would be somewhat greater if crimes by young adults 18-24 years of age were added to those committed by youths under 18 instead of being counted with those of people aged 25 and older.

million in 1960 to a peak of about 41.5 million in the years 1978-80, an increase of 80 percent.

Another reason for the swelling crime rate among young people was a large upswing in youth unemployment and the associated reduction in the opportunity costs of crime. Behind the upswing in unemployment was the very increase in the number of youths, which was apparently a good deal larger than the number of jobs they could find at prevailing wage rates. And as young people perceived that relatively too few jobs were available, they presumably reduced their estimates of the opportunity costs of turning to crime.

The increase in unemployment was dramatic. Among 16-19 year olds, unemployment averaged about 10 percent of all people of those ages holding or seeking jobs—i.e., those deemed to be in the "labor force"—in 1947-53. By 1970-80, the unemployment rate for the 16-19 group climbed to about 16 percent during years of reasonably high business activity and to about 20 percent during recessions. For 20-24 years olds, the comparable figures were about 6 percent in 1947-53 and about 8.5 percent to 13 percent in 1970-80.

The picture for young blacks is far more dismal than for young whites. Blacks who are 16-24 years old constitute about one-eighth of all people of that age group in the labor force but make up nearly one-third of all the 16-24-year-olds who are unemployed. Their unemployment rate has been running at around 30 percent—somewhat more among those younger than 20 and somewhat less among those 20 to 24 years old.

Moreover, there has long been reason to think that when the government gathers statistics on employment and unemployment, its count misses a considerable number of unemployed young black males who reside in urban "inner cores." The "real" unemployment rate of such black males may be in excess of 50 percent—perhaps well in excess.[12] In any event, it is clear that from an opportunity cost point of view, young blacks have had less incentive to refrain from criminal activities than have young whites.

There is some reason to hope that the rise in the youth crime rate will abate or that the rate will even fall. The increase in the number of young people in the population that has helped lower the opportunity costs of engaging in crime is now in the process of being reversed. A leveling and then a decline in the U.S. birth rate began in the mid-1960s. This trend is beginning to be reflected in a decline in the number of 15-24 year olds.[13] By 1990, their population will drop from 41.5 million in 1980 to roughly 35 million. (Both figures may be somewhat low because they may not adequately take account of the increase in immigration that began in the past decade or so.)

To sum up, as the number of young people decreases, so accordingly should the number of crimes committed by the young. In addition, a larger proportion of them should be able to find jobs or to perceive that the relative availability of jobs has increased. Therefore, the calculated opportunity costs of turning to crime should rise. That, of course, would reduce the incentive for young people to engage in crime and, it is to be hoped, their criminal activity.

## Evidence on Arrests[14]

How large a role does arrest—"clearance" is the technical term—play in the process of deterrence? At first glance not much, according to the available nationwide statistics. The Uniform Crime Reports reveal that in 1979, police departments cleared only 20 percent of all Index crimes. The figure includes 25 percent of the robberies reported, 15 percent of the burglaries, and 19 percent of the larceny-thefts. Effective clearance rates must have been even smaller, for victimization surveys suggest that about half of all robberies, less than half of all burglaries, and about a quarter of all larcenies are reported to the police. For murders, aggravated assault, and rapes—which occur in much smaller numbers than the various forms of theft—the 1979 clearance rates were a great deal higher than for the property crimes just mentioned. The figures were 72 percent for murders, 59 percent for aggravated assaults, and 48 percent for rapes.

But clearance rates per crime committed are not the whole story. The "true" clearance rate is presumably higher than the reported rate. The reason is that most criminals, with the principal exception of murderers, generally commit more than one crime a year. Consequently, a single arrest (clearance) may in effect "clear" several crimes.

An accounting of what happens after arrest has been estimated by Silberman based on special data assembled for 1965[15] in respect to 2,780,000 of the 4,739,000 Index crimes reported for the year. In those 2,780,000 cases, 727,000 persons—467,000 adults and 270,000 juveniles—were arrested for Index crimes, making for a total clearance rate of 26 percent. Charges were dropped against 128,000 adults, leaving 339,000 (73 percent) who were prosecuted. In exchange for a plea of guilty, 162,000 had charges against them reduced to a misdemeanor. (The complexity and diversity of the juvenile court system makes it impossible to estimate what hap-

12. Unemployment rates for the young people of other minorities living in inner cities—for example, rates for youths of Mexican or Puerto Rican background—are also quite high. In New York City, the rate registered in the official count for black and other minority youths between 16 and 19 in 1979 was 42 percent.

13. It is convenient, because of the nature of demographic data, to use 15 years as the lower boundary of the youngest age category rather than 16 years, the limit used in the statistics on employment. The conclusions are not changed thereby.

14. The material in this section has been adapted from Silberman, *Criminal Violence, Criminal Justice*, pp. 76, 218, 258-261. Clearance rates for 1979 have been substituted for those of 1976. The data are similar in both years, though the rates for 1979 are somewhat lower.

15. *Task Force Report: Science and Technology*, a volume in President's Commission on Law Enforcement and the Administration of Justice, *The Challenge of Crime in a Free Society*. Washington, D.C.: U.S. Government Printing Office, 1967.

pened to the 270,000 young people arrested. A discussion of the juvenile courts appears in the next section.)

The remaining 177,000 adults were charged with a felony. Of these, 130,000 pleaded guilty and 30,000 were convicted after standing trial—160,000 all told. Thus, 90 percent of those charged with a felony pleaded or were found guilty.

All together, 322,000 defendants were convicted of either a felony or misdemeanor—69 percent of all who were arrested. These 322,000 made up 95 percent of the 339,000 who were prosecuted.

What happened to those convicted? Some 63,000 wound up in prison (a state or federal penitentiary). Another 103,000 offenders went to jail (in general, a county, city, or other local place of confinement). Finally, 21,000 who were given probation went to prison or jail after violating their terms of probation. Thus, 58 percent of those convicted of felonies or misdemeanors served time behind bars.

Analysis of data gathered in California, New York City, and Washington, D.C., for years later than 1965 gives essentially the same results as those just described.

The question naturally arises whether an incarceration rate of 58 percent for guilty defendants is "high enough."[16] Some partial data available for the 1920s indicates that the rate of incarceration was then much lower than the recent rate, evidence suggesting that today's judicial procedures are not overly lenient, at least in comparison to the past.

Silberman believes that the "adult judicial process produces results that are suprisingly rational and just"[17]—an opinion with which many disagree. It is frequently argued that the judicial system is too soft on criminals or has excessive concern for the rights of defendants (and, of course, that the judicial and penal authorities "coddle" prisoners). Both sides, however, agree on one thing: penal institutions, no matter how administered, are largely unsucessful at rehabilitating criminals. And the sheer punishment of being in prison does not deter most prisoners from resuming a life of crime when released. For the most part, all that incarceration appears to accomplish is to keep individual criminals out of public circulation for a time.

But, as Silberman reminds us, punishment or incarceration accomplishes another important end:

> . . . We punish criminals for a variety of sometimes conflicting ends. The first and most important is to establish and maintain a sense of fairness and balance in society; failure to punish criminal offenders would mean that those who comply with the law voluntarily would be penalized, while those who break the law would gain an unfair advantage.
>
> We punish criminals, in short, because justice, i.e., fairness, requires it; punishment is a way of restoring the equilibrium that is broken when someone commits a crime. Hence punishment must be guided by the notion of desert, a less emotionally charged designation than the more familiar concept of retribution. This means focusing on the past—on what the offender has already done—rather than on what he may do in the future. It also means linking the nature and severity of the punishment meted out to the nature and severity of the crime that has been committed; if justice requires that criminals be punished, the notion of desert requires that punishment be commensurate with the severity of the crime.[18]

## The Juvenile Courts

Criticism of what happens in juvenile court systems is perhaps even harsher than that leveled at the treatment of adults. These systems have been under fire from several points of view.[19]

In the 1960s people concerned about breaches of civil liberties attacked the juvenile courts for wholesale violations of constitutional guarantees of due process. In a series of cases, the Supreme Court ruled that the due process clause of the Fourteenth Amendment to the U.S. Constitution applies to juveniles, that juveniles have the right to representation by counsel, to notice of the charges against them, to protection against self-incrimination, and to confront and question witnesses. Furthermore, in *In Re Winship* (1970), the court said delinquency must be proved beyond a reasonable doubt rather than by the preponderance-of-evidence standard that had been used. However, the Supreme Court has ruled that the right to a jury trial does not apply in juvenile court proceedings.

In the 1970s emphasis shifted from demands that civil liberties be protected to demands that juvenile crime be stopped, in large part because many habitual juvenile offenders received probation or light sentences in reform school. The following quotations indeed suggest that light sentences resulted in low estimates of the opportunity costs of crime:

> A New York teen-ager explained in a WCBS radio interview how he started at the age of twelve to rob old women. "I was young, and I knew I wasn't gonna get no big time. So, you know, what's to worry? If you're doin' wrong, do it while you're young, because you won't do that much time."
>
> Another boy, 15, recalled why he shot a "dude": "Wasn't nothin'. I didn't think about it. If I had to kill him, I just had to kill him. That's the way I look at it, 'cause I was young. The most I could have got then is 18 months."[20]

Because of such attitudes, some authorities advocate separating juvenile criminal cases from noncriminal proceedings. In criminal proceedings full constitutional rights would be guaranteed but full punishment given to the guilty.

Silberman by and large agrees that the juveniles who commit grave crimes are treated too lightly, and attributes it to the emphasis in juvenile justice procedures:

16. The rate may also be given as about 52 percent, since 6-7 percent consisted of persons put on probation but later imprisoned.
17. Page 285. His supporting argument begins on page 262.
18. *Criminal Violence, Criminal Justice*, pp. 188-189.
19. Legally, in most states persons up to the ages of 16, 17, or 18 are considered to be juveniles; in a few states the cutoff is higher, with 21 the limit.
20. *Time*, July 11, 1977, p. 19.

. . .[O]ver the last two decades, the operation of the juvenile court and, more recently, the underlying concept itself, have come under increasingly harsh attack. Hardly a month goes by without a newspaper story, magazine article, or television documentary accusing the juvenile courts of being soft on criminals and crime, of treating hardened, vicious criminals as if they were naughty children. . . .

This view is widely shared, especially by prosecutors and policemen, many of whom feel that the institution of the juvenile court has outlived its usefulness. [As one police officer put it:] "The law says a kid should be treated differently because he can be rehabilitated," . . . "but they weren't robbing, killing and raping when kiddie court was established. Kids are different now, but the law hasn't caught up with the change."

The critics have a point—but not for the reasons they think. When cases are "spewed out," as they often are, it usually is because victims and other complainants are unwilling to press charges; "complainant noncooperation" plays an even larger role in juvenile than in criminal courts. Juvenile court judges are more lenient than their counterparts in criminal court, but they administer vastly more punishment than is generally realized—more, certainly, than their talk about pursuing "the best interests of the child" would lead one to believe.

The problem is not that juvenile courts are too lenient, but that they are too lenient toward the wrong people. . . . [C]riminal courts do an effective job of separating the "garbage" cases from the "real crimes," so that resources can be concentrated on the latter. The opposite is true of juvenile courts. . . . [J]uvenile court judges are the prisoners of their own rhetoric. In their desire to "help" troubled youngsters, they spend the bulk of their time on juveniles charged with offenses that would not be crimes at all if committed by adults—offenses such as "incorrigibility," "ungovernability," truancy, running away from home, and other [kinds of behavior] . . . that do not involve any direct threat to public safety. These "status offenses" (so-called because it is the offenders' status as minors that makes the acts illegal) account for at least half, and perhaps as much as two-thirds, of juvenile court time. As a result, little time or energy is left to deal with those juveniles who commit serious crimes.

It is not only time that is allocated poorly. The distorted priorities that have juvenile court judges concentrating on "juvenile nuisances," rather than on juvenile delinquents and criminals, lead them to allocate punishments in the same irrational way. Nationwide, runaways and incorrigibles (juveniles whose offense is defiance of parental authority) are more likely than burglars to be incarcerated, and at least as likely to be locked up (often in adult jails) as robbers. For the most part, sentences bear little or no relation to the seriousness of the offense or to the offender's culpability. In "juvie" court, unlike criminal court, sentences really *are* arbitrary and capricious.[21] . . .

Far from reducing crime, the preoccupation with status offenses has encouraged criminal behavior in several ways. It has produced a heavy overload on the judicial process, leaving judges and probation officers too little time and too few resources to respond in appropriate ways to juveniles who commit criminal acts. And the frequency with which status offenders have been incarcerated—the fact that there has been little relationship between the seriousness of the offenses committed by juveniles and the severity of the punishment meted out to them—has created a caricature of justice that undermines respect for law. As the Joint Commission on Juvenile Justice Standards commented, "A system that allows the same sanctions for parental defiance as for armed robbery—often with only the barest glance at the reasonableness of parental conduct—can only be seen as inept and unfair."[22]

Apart from processing cases of juveniles charged with breaking laws, juvenile courts also function as caretakers. They conduct investigations concerning children who are neglected, abused, or beyond the control of their parents; hearings regarding custody, guardianship, or adoption; proceedings involving judicial consent in matters such as marriage or employment of juveniles and inquiries respecting the treatment of mentally ill or defective children.[23]

## Resources for Criminal Justice

When most economists investigate social institutions, one of their first concerns is the allocation of society's scarce resources to these institutions. The criminal justice system can be examined from this standpoint. It basically performs four services: law enforcement, prosecution, administration of justice, and correction (see Figure 1). Its purpose is to carry out the punishment and deterrent functions society requires while protecting the basic constitutional rights of individuals. Its operations should be both efficient and fair.

By posing three critical questions, economists call attention to the main choices we face in determining the use of resources for criminal justice.

1. **Which and how many resources should be devoted to the criminal justice system?** The basic decision to be made is what portion of society's resources—money, work time, buildings, equipment, etc.—should be spent to maintain conditions that enable people to make their daily rounds without undue fear of personal safety or property loss. (Private as well as government spending may be involved; see point 2, below). This decision requires a calculation of the opportunity costs of the necessary expenditures. What is spent on efforts to prevent and control crime cannot be used for such things as education, recreation, roads, health care, fire protection, national defense—or even tax cutting. And if we should want to increase the share of national resources devoted to crime prevention and control, the opportunity cost would be the other goods and services that would go unproduced.

21. *Criminal Violence, Criminal Justice*, pp. 311-312.

22. Ibid., p. 347.

23. If jurisdiction over juveniles is lodged in a "family court," that court will also handle the marital disputes of adults.

The subsequent problem is how expenditures on criminal justice should be allocated. In 1977-78, they were split as follows:[24]

| Activity | Amount (mil.dol.) | Percent of Total |
|---|---|---|
| Police | $13,104 | 54.4 |
| Judicial | 3,040 | 12.6 |
| Legal services | 1,469 | 6.1 |
| Public defense | 523 | 2.2 |
| Correction | 5,516 | 22.9 |
| Other | 439 | 1.8 |
| Total | $24,091 | 100.0 |

2. **How can the required services be most efficiently supplied?** At the local level, the answer partly involves determining what portion of the services ought to be supplied by the government. Communities in the United States must decide how much crime prevention and protection is the government's job and how much is the private sector's in the form of burglar alarms, stout fences, private guards, protection forces at sporting events, and the like. Communities must also decide how tax dollars should be allocated between short-run anticrime activities such as greater police protection and long-run anticrime programs such as education and job training. The answers really depend on an evaluation of how all the money—public and private—allocated to the various aspects of the criminal justice system would be most efficiently spent.

3. **For whom shall the services of the criminal justice system be provided? Can they be provided with equity as well as efficiency?** It is a fact that more crimes are committed against residents of slum neighborhoods than of wealthier neighborhoods. This raises the problem of the relative amount of policing effort that ought to be allocated to different areas of a community. More and perhaps better legal services can be afforded by the wealthier. The community decides whether any such disparity should be addressed by supporting the Legal Aid Society, by directly paying for legal representation of poorer citizens, or by ignoring the situation. It is harder for poorer than for richer persons to put up bail, a problem that judges must take into account. And there is the matter of maintaining equality in sentencing and prison treatment for those who commit the same crimes regardless of their wealth, their position in the community, or their ethnic origin. (A whole other set of issues pertains to the question of how many services the system should provide to individuals as compared to business enterprises, nonprofit institutions, and arms of government.)

These brief responses to the three fundamental questions raised above suggest some of the main considerations economists have in mind when they urge examination of the allocation of scarce resources to the criminal justice system.

## A Political Science Perspective

Political scientists approach crime in a different way than economists. A primary preoccupation of political scientists is the role of power in setting public policy, and much of the power wielded by the citizenry at large is exerted through the expression of its collective opinions or beliefs, for example, by their votes. One of the means political scientists use to determine these beliefs are surveys of public opinion. An important survey of attitudes about crime, taken by the LEAA, showed that:

> . . . Although most respondents in the [survey] thought that their own chances of being victimized had gone up in recent years, more people perceived crime as a national, rather than a neighborhood, problem.
>
> . . . Respondents in various age, sex, race, and income groups differ considerably in fear of crime, but whether or not one has been the victim of crime during the past year does not appear to have a major effect on fear. In addition, people tend to feel less threatened close to home than in other neighborhoods.
>
> . . . There is a strong tendency for people to believe that the fear of crime affects *other* people more than it affects them. The fear of crime does not appear to be a major motivating factor . . . in some of the specific [kinds of behavior] . . . respondents were asked about.[25]

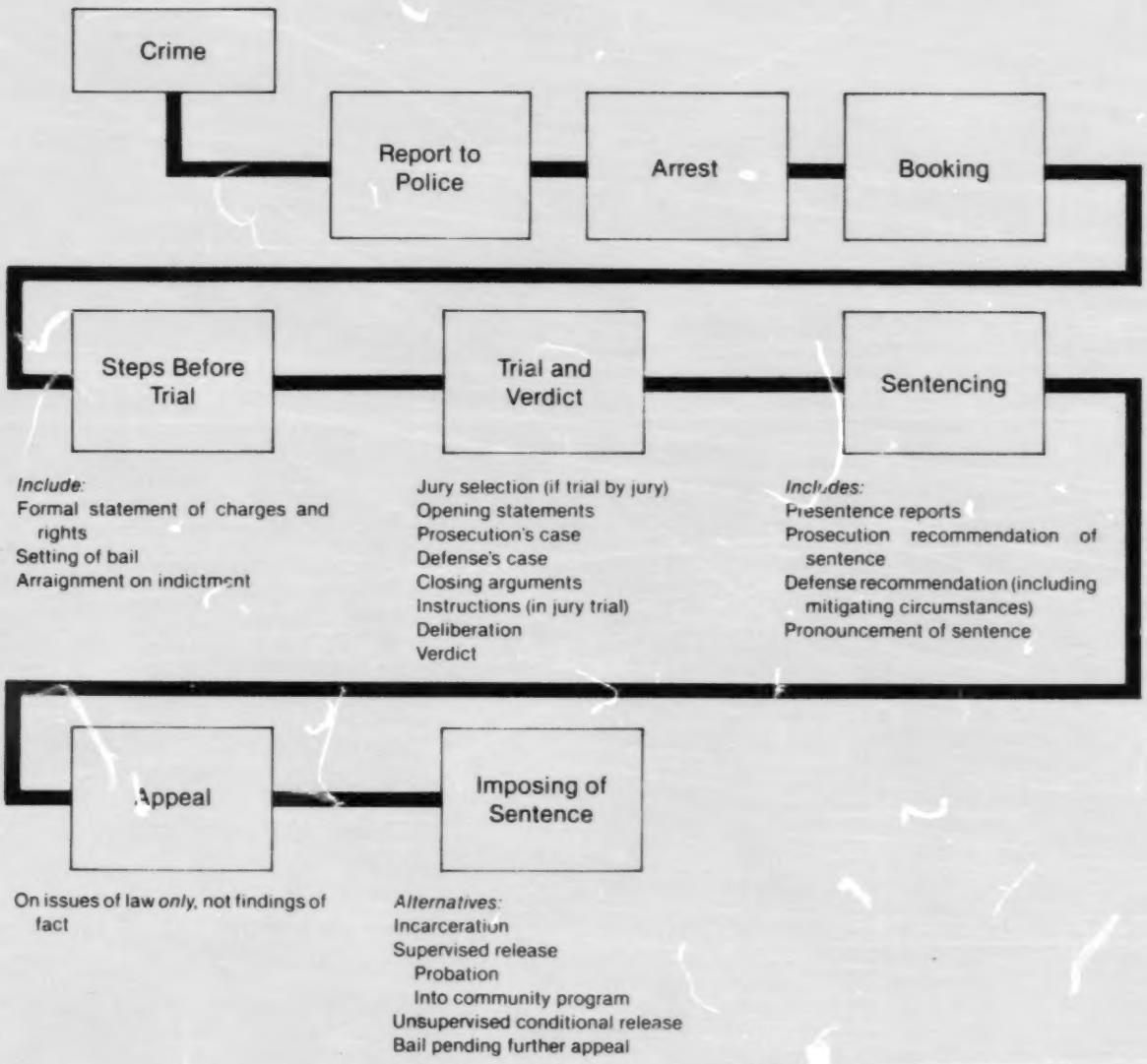
In addition to studying public opinion, political scientists study institutions and the possible internal conflicts in their values or goals. The criminal justice system is certainly an institution with such conflicts. They often make crime prevention and control more difficult or inefficient.

The police—or law enforcement—arm of the criminal justice system as well as the legal—or prosecuting—arm of the system tend to emphasize measurable results. The police want to show a good record in terms of immediately arresting or ultimately finding the perpetrators of crimes. District Attorneys' offices, or other prosecuting agencies, want to bring to trial cases on which their chances of convictions are highest. However, the police and the prosecutors may not have the same view of a situation. For a number of reasons, including the possible verdicts of juries or rulings of judges, all "good" arrests by the police may not be equally "good" cases for district attorneys to bring to trial. For this reason, prosecutors may elect not to try cases brought to them by law enforcement agencies—and they are not required to do so. Prosecutors have virtually unlimited discretion as to whether an offender will be charged with a crime, how the crime is classified, and whether or not the

24. The data are for criminal justice expenditures by federal, state, and local governments for the twelve months ending June 30, 1978, and were taken from Bureau of the Census, *Statistical Abstract of the United States, 1980*, p. 192.

25. U.S. Department of Justice, Law Enforcement Assistance Administration, *Public Opinion about Crime: The Attitudes of Victims and Nonvictims in Selected Cities*, (Washington, D.C.: Government Printing Office, 1977), p. 11. Emphasis as in original.

## FIGURE 1 Principal Stages in a Felony Case from Crime to Imposition of Sentence




SOURCE: Based on H. Ted Rubin, *The Courts: Fulcrum of the Justice System* (Pacific Palisades, Calif.: Goodyear, 1976), p. 52; and Blair J. Kolasa and Bernadine Meyer, *Legal Systems* (Englewood Cliffs, N.J.: Prentice-Hall, 1978), p. 189.

offender will be brought to trial.[26] And, of course, when the prosecutor is an elected official, a high win ratio is usually a desirable asset in any campaign for re-election.

Furthermore, the geographical jurisdictions of law enforcement and prosecuting agencies often differ, and may operate as impediments to cooperation. The law enforcement sector is usually fragmented, with each local police department controlled by a different municipality. A major county or metropolitan area may easily contain more than a hundred departments. Prosecuting agencies, however, are usually organized by county, which may make for different relations with different police jurisdictions.

The third arm of criminal justice is the judicial—or court—system. Judges are not nearly so interested in measurable results as the police and prosecutors are. Their main responsibility is to assure a fair trial. They are more concerned with the means by which accused people are arrested, brought to trial, and tried, rather than in achieving convictions per se. Since judges are in charge of trials, they can directly assure that trials are properly conducted. And judges also possess the power to increase the likelihood that law enforcement officials and prosecutors observe the safeguards of the Constitution and of U.S. laws as well as of the laws of states and localities. They exercise this power largely by releasing defendants or by ordering new trials when they believe illegal means were used during the process of arrest or prosecution. When courts make decisions of this kind, they may lay themselves open to public attack by law enforcement officials and prosecutors as being "soft" on criminals.

The fourth arm of the criminal justice system is corrections—the prisons and jails and their authorities as well as the parole system. Most prisons are built and controlled by the states. Some years ago the purpose and policy of running prisons—apart from protecting society from dangerous and incorrigible individuals—swung toward a greater emphasis on the rehabilitation of criminals rather than on merely punishing them. The change was based on beliefs that became influential among sociologists and criminologists. But experience has shown that the rate of recidivism remained as discouragingly high under policies of rehabilitation as under policies of punishment. Rehabilitation has, accordingly, come under attack, although some sociologists, correctional officials, and criminologists argue that rehabilitation efforts would be more likely to succeed if more money were expended for such policies.

It is fair to say that at present all sides in disputes about correctional policies are dissatisfied and even bewildered because neither policies of punishment nor of rehabilitation reduce seemingly intractable rates of recidivism—about 33 percent on average and running to 50 to 80 percent for perpetrators of some types of crime. In any event, the emphasis of prison policy has in recent years shifted somewhat to punishment and incarceration and away from rehabilitation programs.

What to do with convicted criminals so that many fewer than at present will become repeat offenders remains a baffling problem.

## Crimes without Victims

Much crime and many arrests are for violations without a direct victim in the usual sense. These are often called consensual or "victimless" crimes because those who participate in them do so willingly. Examples of such crimes are drug use, gambling, pornography, prostitution, public drunkenness, and status crimes. The category "status crimes" applies to juveniles and includes possession of alcohol, curfew violations, truancy, and "incorrigibility."

A major argument in favor of decriminalizing or legalizing consensual crimes is that too many of the criminal justice system's scarce resources are allocated to enforcing laws which prohibit people from making consensual choices. The costs of enforcing these laws—costs may include corruption in the case of gambling and narcotics laws—are alleged to be greater than the benefits. The money spent on enforcement should therefore be reallocated to enforcing laws against serious crimes such as burglary, arson, rape, robbery, and murder say many people.

A second contention of the proponents of decriminalization is that governments cannot legislate morality. Although most of these activities represent serious social problems, criminal sanctions have not reduced the frequency of these acts in the past and are thought to be an impractical and ineffectual way to deal with them. For example, laws against public drunkenness have not eliminated alcoholism, and the nation's experiment with "prohibition" in the 1920s was a colossal failure. Tough drug laws do not appear to have brought addiction down to tolerable levels. The enforcement of such laws can be selective—in which case there is frequently racial or class bias involved.

Proponents of decriminalization believe these concerns should be dealt with by social service programs or state regulation of the activities. They claim:

—that the incidence of alcoholism could be reduced if the money spent on enforcing laws forbidding public drunkenness were spent on rehabilitation programs

—that drug addiction is a major problem but enforcement of the drug laws dries up supplies and increases prices; therefore, establishing clinics to provide drugs or drug substitutes such as methadone might sharply reduce street crime

—that by decriminalizing gambling, governments could prevent fraud and take away a major source of revenue from organized crime

—that licensing prostitution would improve sanitary standards and help prevent venereal diseases.

Critics of the decriminalization movement maintain that it is nonsense to argue that we cannot legislate morality. A major purpose of having laws is to support what society considers good and to restrain what it

26 Because, on the one hand, prosecutors may drop difficult cases, and on the other may drop charges because of insufficient evidence, citizens should take into account the record on the number and types of cases litigated, not just the conviction rate.

considers bad. Although the law may not make people moral or upright, it can restrain immoral behavior. When civil rights opponents used the "You can't legislate morality" argument agains civil rights legislation, Martin Luther King replied, "A law can't make the white man love me, but it can stop him from lynching me."

The real issue may be not whether we can legislate morality, but what the limits of public policy should be. Is it logical or even prudent to favor decriminalization of drug usage, pornography, and prostitution but to favor continued prohibition of other consensual acts such as riding a motorcycle without a helmet or the sale of new cars without safety belts.

Those against decriminalization also argue that there is no such thing as a victimless crime. For example, newborn babies suffer drug withdrawal symptoms because of their mothers' addictions. Children are harmed when family life is destroyed by parents addicted to alcohol and drugs or pauperized by gambling. Prostitutes are usually exploited and abused by the men who "protect" them. In many instances, society is a victim. Alcoholism and drug abuse lower productivity. The government—and therefore the taxpayer—foots the bill for the support or rehabilitation of those who become sick, disabled, or unemployed as a result of "victimless" offenses against the law.

Much comment on victimless crimes treats the various categories without distinguishing among them. In reality, each consensual crime has its own constellation of social ills and effects, and there may be better arguments for—or larger marginal benefits from—enforcing the law against one rather than another. In any case, enforcement does reduce the amount of victimless crime and has some effect on where it takes place.

Economists and political scientists are as qualified as any other members of society to comment on the morality of victimless crime, but no more qualified. The expertise of political scientists, however, can help define the limits of public policy toward consensual crimes while economists can weigh the benefits of enforcing criminal sanctions against the costs.

## Public Policy Choices

Ideas influence public policy, and for years the ideas of the sociologically minded were dominant in setting policies for crime prevention and control. Criminologists emphasized causal analysis and insisted the determinants of crime were sociological and psychological. They stressed the learning of criminal behavior from people whose opinions the potential criminal valued. The degree of family stability, amount of parental affection, and character of peer group relationships were deemed major influences on criminal tendencies. Poverty itself was not deemed a cause of crime but contributed to the conditions that fostered crime.[27] Because of the claim that criminals were created by social conditions, many criminologists concluded that punishment would do little to deter criminal activity.

The contrary position is that the above analysis led to inadequate appropriations for prisons, insufficient funding for police departments, and easier sentencing by judges. In short, the soaring crime rate of the past two decades is laid to inadequate punishment which results from lax sentencing procedures and which serves to lower the cost of becoming a criminal.

This position plus recognition that the efforts neither of government nor of social agencies have been notably successful in changing family conditions and peer relationships or altering the attitudes of actual or would-be criminals has led to new emphasis and directions in public policy. Some of this change is due to the newly influential analyses of economists as opposed to those of sociologists.

The economics approach has encouraged the gathering of empirical evidence to determine the impact alternative polices might have on the crime rate and at what costs. As part of their efforts to reduce crime, policymakers must weigh the benefits of each alternative against the costs and pursue the alternative whose benefits most outweigh costs.

Governments can use cost-benefit analysis to assess a number of crime control policies, for example, the stimulation of private employment, the creation of public jobs, increases in educational opportunity, changes in the severity of prison sentences, changes in the number and quality of law enforcement personnel, the effects of speedier trials, better lighting of streets, revision of law enforcement techniques.

One example of a shift in public policy are the recent changes many states have made in their sentencing laws and policies. These changes require judges to mete out more nearly equal or specified sentences for similar crimes (so-called fixed sentencing). The general effect is to make sentences more severe, thereby increasing the cost of crime.[28] Another effect may be to make punishment more certain, and as was mentioned earlier, certainty of punishment seems even more important than severity as a deterrent to crime.

Fixed sentencing is an example of how to increase the cost of crime by deterrence; job creation is an example of how to increase the cost of crime by raising an individual's opportunity costs. A person with a job who goes to jail loses both job and wages, and therefore has higher opportunity costs than a person without a job.

Long-range solutions, such as improved employment

27. It should be pointed out that all schools of thought take care to note that most poor people are not criminals. This view implies that social conditions may explain why some poor people become criminals but fail to explain why the majority do not. That raises one of the fundamental questions about human behavior: to what extent is it determined by external forces and to what extent by those internal to the individual.

28. Silberman believes sentencing procedures are not as capricious or ineffective as is widely believed. He therefore thinks the moves to increase mandatory sentencing are unwise. His argument forms a large portion of Chapter 8 ("Perry Mason in Wonderland: What Happens in Criminal Court") of *Criminal Violence, Criminal Justice.*

and educational opportunities, are usually more costly than increased deterrence, but it is possible that they can be more effective. The disappointment with many such programs in terms of anticrime or more general benefits may be due to their being conceived, treated, or thought of as disguised welfare payments rather than as investments in human capital. In other words, their objective is seen as intended to provide immediate results at low cost rather than as fundamental long-term improvements in the skills of those being helped.

As alternative policies are considered, political scientists should also be asked to contribute. They are equipped to examine the claims of special interest groups who rationalize their private interests in terms of the public good. Criminal lawyers, social workers, police departments, prosecutors, judges, and corrections officials, among others, try to increase their authority or budgets. The political scientist needs to inquire whether such increases are mere aggrandizements or will serve the working of the criminal justice system

Political scientists also help interpret the limits of public policy. Society must deal with trade-offs between authority and liberty. Those engaged in combating crime often demand more state authority to lower the rate of crime. But is a lower crime rate worth the sacrifice of civil liberties, or are there ways to prevent crime without sacrificing such liberties? For example, we might be able to lower crime rates through more extensive surveillance, but would these techniques be beyond the limits of desirable public policy concerning rights of privacy?[29]

Finally, political scientists are concerned with the efficient operation of our public institutions. Should judges be appointed or elected? How can we improve the quality of police, prosecutors, and corrections officials? How can we resolve conflicts among law enforcement personnel?

In sum, economists can explore the costs versus the benefits of alternative policies. Political scientists can explore the role of special interest groups, patterns of political behavior, and of government organization on these same policies. Citizens can affect these policies as members of community organizations, as employees of one of the sectors of the criminal justice system, or as voters. The ideal result of all such efforts would be well integrated and effective crime prevention policy choices based on sound theories, empirical evidence, and consistency with the values of a free society.

29. A related point: "Anything that makes it more likely that a criminal will be convicted also makes it more likely that an innocent person will go to jail. Anything that makes acquittal of an innocent person more likely also makes acquittal of a criminal more likely. We must somehow reach a decision as to where we want the balance to be placed." (Paul H. Rubin, "The Economics of Crime," *Atlanta Economic Review*, July-August 1978, p. 41. Reprinted in Andreano and Siegfried; see footnote 5.)

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*Enforcing the Law: Understanding Your Police Force* (1974). Guidance Associates, 90 South Bedford Road, Mount Kisco, NY 10549. Color filmstrips and 12" long-play records. Part I, 16 minutes/73 frames; Part II, 13 minutes/79 frames.

*The Fight Against Crime: What Can Be Done* (1971). Guidance Associates, 90 South Bedford Road, Mount Kisco, NY 10549. Color filmstrips and 12" long-play records. Part I, 13 minutes/84 frames; Part II, 17 minutes/109 frames.

*Living in Urban America* (1974). Holt, Rinehart & Winston, 383 Madison Avenue, New York, NY 10017. Developed by the Social Studies Curriculum Center of Carnegie-Mellon University. Book plus comprehensive set of audiovisual materials. Excellent material for ninth graders on crime and related matters in Chapter 13, "Public Safety."

*Media* (1975). American Bar Association, 1155 East 60th Street, Chicago, IL 60637. Annotated catalog of law-related audiovisual materials.

# INSTRUCTIONAL ACTIVITIES

RUTH I. BUTTERFIELD AND JOHN S. MORTON

## Rationale and Objectives

Crime is a topic that should stimulate vigorous classroom discussion. It is not only a major public concern but one that particularly affects teenagers. They are frequently victims of crime and about half of all arrests for serious crimes involve people under 18.

In the course of the following lessons students should change their approach to crime from emotional reactions to informed analysis. They should become aware of the reasons for changes in crime rates and how they are reported. Students should learn about the major theories—particularly that of economics—attempting to explain why crime occurs and how criminal activity can be controlled. Finally, they should become cognizant of the economic trade-offs involved in improving law enforcement and the criminal justice system.

Such knowledge will enable students to understand criminal behavior better and also enable them to sensibly participate in discussions about crime prevention and the operation of the criminal justice system.

| Instructional Objectives | Related Instructional Objectives |
|---|---|
| **Students will:** | |
| 1. Comprehend the size and costs of the crime problem in the United States. | 1, 2, 3, 5 |
| 2. Understand alternative hypotheses about the cases of criminal activity. | 4 |
| 3. Use appropriate evidence to test alternative hypotheses about why criminal activity occurs. | 2, 4 |
| 4. Evaluate alternative actions that individuals, schools, businesses, and government can take to prevent and control crime. | 2, 3, 4, 5 |
| 5. Collect and analyze data on the seriousness and the economic effects of crimes against businesses. | 3 |
| 6. Describe common crimes against businesses and techniques used to combat those crimes. | 3 |
| 7. Compare the ideas of criminologists to those of economists on crime prevention and control. | 4 |
| 8. Collect and analyze data on the seriousness and effects of crime in the schools. | 5 |
| 9. Analyze the process and describe the conflicts that occur when public funds are allocated among alternative uses. | 6 |
| 10. Understand the procedures and courses of action necessary for contributing effectively to public policy decisions. | 5, 6 |

All the handouts are on perforated sheets at the back of this volume.

# Instructional Activity 1

## CRIME I.Q. QUIZ

| | |
|---|---|
| **Recommended Use:** | To introduce and arouse interest in the study of crime and policies to prevent and control it. |
| **Time Required:** | One 45-minute period. |
| **Materials Required:** | Handout 1–1. |
| **Rationale:** | Students ought to be cognizant of their own attitudes and knowledge in respect to the causes and the seriousness of crimes. |
| **Concepts:** | Causes of crime; types of crime; rate of increase; the difference between a rate and an amount. |
| **Instructional Objectives:** | Students will be able to correct their misconceptions about the causes, seriousness, and types of crime and the characteristics of criminals. |

### Teaching Strategy

1. Give Crime I.Q. Quiz (Handout 1–1) or substitute other questions from Overview.
2. Have students exchange papers.
3. Provide and elaborate on answers to quiz after they are corrected and returned. (Check recent sources to make sure laws, judicial procedures, statistical trends, etc., have not changed.
4. Lead a discussion designed to introduce students to some of the major issues in crime prevention and control. Some topics to take up:
   a. How do we measure the amount of crime, and what are the shortcomings of these measurements? How does the *rate* of crime differ from the *amount* of crime? What is meant by *rate of increase*?
   b. What evidence is there that the crime problem in the United States is growing? What is the role of the young people and of different income and social groups in the different types of crime?
   c. How serious a problem is juvenile crime? What constitutional rights do juveniles have, and what rights are denied to juveniles? How can the effectiveness of courts in dealing with juveniles be improved?
   d. How serious a problem is crime against businesses? Who pays for these crimes? Who should pay?
   e. What are victimless or "consensual" crimes? What do you think are the major arguments for and against removing criminal penalties for these crimes?

(Information that can be used to conduct discussions on these or other questions is contained in the Overview.)

### Pupil Activity

Take quiz. ANSWERS: 1(c), 2(c), 3(d), 4(c), 5(c), 6(d), 7(b), 8(a), 9(d), 10(d).

Correct quiz of another student.

Discuss answers. Ask further questions.

Participate in discussion. Define terms. Express beliefs concerning the causes of crime. Give opinions regarding seriousness of the crime problem and its consequences for the individual and society.

# Instructional Activity 2

## THE COST OF CRIME

| | |
|---|---|
| **Recommended Use:** | Developmental activity to acquaint students with the magnitude of the problem of crime in the United States. Suitable for classes in economics, political science, and problems of American democracy. |
| **Time Required:** | Parts of five class periods. Students will need advance notice for Strategy 4. |
| **Materials Required:** | Filmstrip, *The Big Rip-Off: What Crime Costs You* (1978; available from Joint Council on Economic Education), and necessary equipment for viewing. |
| **Rationale:** | To understand that an increasing crime rate not only causes a deterioration in the quality of life but places a mounting financial and human burden on all segments of society. |
| **Concepts:** | Opportunity cost; interest group. |
| **Instructional Objectives:** | Students will:<br>1. Explain why the cost of crime is paid by all members of society;<br>2. Use the concept of opportunity cost to evaluate the true cost of crime to society;<br>3. Suggest and assess alternative actions a community may take to prevent and control crime;<br>4. Name the interest groups affected and predict their response to the alternatives proposed. |

| Teaching Strategy | Pupil Activity |
|---|---|
| 1. Introduce the filmstrip and outline what will be emphasized: drastic increases in crime; costs to individuals, business, and society in general; alternatives for society; decisions which must be made. | |
| 2. Show the filmstrip (90 frames) as directed in the Discussion Manual. Break at the end of Band I and of Band II for a brief class discussion of pertinent points. | View filmstrip; recall filmstrip information pertaining to (1) the cost of crime, (2) categories and uses of the FBI Uniform Crime Reports, (3) definition of white-collar crime, (4) liberal and conservative views of the problem and the policy positions resulting from these views. |
| 3. Discuss the information in the filmstrip with questions such as these: | |
| a. What is the real cost of crime? Does the amount of money spent for fighting crime represent the total cost or are there other factors? (If students have not previously dealt with opportunity cost, you may need to provide several concrete examples of the concept.) | Apply the concept of opportunity cost in assessing the real cost of crime. State things which must be given up in order for a society and an individual to prevent or control crime. |
| b. Who pays the cost of crime? Can you give specific examples of how you or members of | On the basis of the information in the filmstrip, one may conclude the cost of crime is ultimately borne by every- |

your family pay for crime prevention and control?

one directly or indirectly. For example: businesses add the costs of theft, guards, and equipment to the prices consumers pay; families purchase items such as home burgler alarm systems and special locks; increases in crime may cause insurance rates to rise; local and federal taxes may go up because of monies expended for crime prevention and control.

4. Have students collect local newspaper articles on crime in your area. They should also bring to class any relevant statistics they find. Finally, they should listen to radio or watch TV news programs and report on the portion of news programs devoted to crime.

Discuss the implications and deductions to be drawn from such information. What are the most common types of crime committed in the community? How might they be reduced or eliminated? Do the crimes reported by newspapers, by radio, and by TV seem to be a fair representation of the amounts and kinds of crime being committed in the community? Are there differences in what newspapers, radio, and TV feature?

5. In the whole class or in small discussion groups have students suggest alternatives for reducing crime in the community and estimate the cost of the various proposals.

Compare the feasibility of the various methods of reducing crimes. Place a price tag on the various proposals by estimating the total cost of preventive measures. (The total cost to the community will be the cost of the preventive program minus the sum saved due to the reduction in the number of burglaries, injuries, etc.) Consider the total cost in relationship to opportunity cost—budget outlays that preclude spending for other public services; higher tax rates, resulting in less money for private purchases.

6. List student proposals and estimated costs of each on the chalkboard. To initiate discussion of probable reactions of various groups, ask Can you think of any groups who might be against any of these proposals? Which groups do you think would support these actions? How do you think the police would react? Lawyers? Homeowners? Renters? Retailers? Manufacturers? etc.

# Instructional Activity 3

## CRIMES AGAINST BUSINESSES

**Recommended Use:** Developmental activity for political science, economics, and contemporary problems classes.

**Time Required:** Three class periods of 40–50 minutes each.

**Materials Required:** Student Handouts 3–1 and 3–2.

**Rationale:** Familiarizing students with use of the interview and the survey as research techniques in the social sciences. (Before beginning the lesson, the teacher should inform the school principal or other appropriate supervisor of the details of the survey and interview.)

**Concepts:** Social science methods; cost of crime.

**Instructional Objectives:** Students will:

1. Develop and administer a survey to determine the prevalence of shoplifting by teenagers.
2. Write questions with which to conduct interview with owners and managers of local businesses in order to determine the incidence and costs of crime against businesses in the community.
3. Compile data from the survey and interviews and present them to the class.
4. Describe common crimes against businesses and techniques used to combat these crimes.
5. State ways in which consumers and taxpayers pay for the cost of crimes against businesses.

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| Teaching Strategy | Pupil Activity |
|---|---|
| DAY ONE | |
| 1. Tell the students they are going to use social science research methods to gather information on crimes against businesses. Select four or five groups of about three students each to interview business owners and managers. The remainder of the class will conduct a student survey on shoplifting.<br><br>(NOTE: You may wish to conduct some of the activities in this lesson jointly with a math teacher. You may also suggest to the students that they obtain the advice of their math teacher in devising the survey.) | |
| 2. Distribute assignment sheets (Handout 3–1). | Read assignment sheet and do assigned tasks. |

a. Tell each interview group to write five questions and select two businesses for interviews. (Sample interview questions as well as a sample student survey questionnaire appear below, on page 31.) Groups should make an effort to compare different types of businesses—small and large retail stores; a bank, motel, or hotel, and other service enterprises; wholesalers; manufacturers, etc. Make sure interview teams have selected different businesses and that the questions are good.

b. Divide the survey team into groups. Have each group write simple questions and decide how they will survey students. Then have the teams as a group decide upon the questions to be placed on the survey form.

c. Go over and critique sample questions with students and make sure survey design is acceptable.

d. Warn the interviewers that some businesses may say that some or all of the answers to the questions are confidential. If the interviewee objects, students should say that the answers will be kept confidential, for the questionnaires will not be identified by the name of the business or the person answering, but by a code (which you will need to arrange). Because of the foregoing considerations, students may have to approach more than one business for each questionnaire they administer.

DAY TWO

3. After the teams have compiled data resulting from the interviews and the survey, have them give oral reports to the class. Encourage them to summarize their quantitative results on transparencies. You might compare the survey of students with one conducted in Matawan, New Jersey:

   High school students in Matawan, New Jersey, administered such a survey to younger middle school students; they found these shocking results. Of the 498 boys surveyed, 61 percent said they had shoplifted, at an average age of nine for the first time. Of the 432 girls surveyed, 45 percent admitted they had shoplifted, at an average age of ten for the first time. The average student surveyed had shoplifted three times, mainly at nearby stores. They said they mostly shoplifted for fun or on a dare or to get something they wanted for themselves. Of the shoplifters, 72 percent of the boys and 18 percent of the girls said they had been caught. And 81 percent of the admitted shoplifters said they would continue.

Write up results in order to report to class.

DAY THREE

4. Distribute Handout 3–2 and discuss questions such as the following:

   • The costs of crime in retailing and in service industries are higher than in other types of business. Can you explain why?

Goods are accessible to a large number of people (employees, customers, and robbers); the stolen goods can be fenced or sold; the availability of cash is a target for robbers and burglars.

| | |
|---|---|
| • How do you account for the fact that approximately 68 percent of the crimes against retailers are against small stores, i.e., those grossing less than $1 million per year? | Smaller retailers tend to have fewer salespersons and security measures. |
| • Researchers estimate that half of all shoplifting is done by teenagers. Do your research results confirm or reject this finding for your community? What is the total value of goods shoplifted in the stores where the students conducted interviews? | Answers will vary depending on research results. |
| • Can you give examples of the types of things businesses do to prevent crime? | Buy and install TV monitors, cameras, burglar alarms, mirrors; hire security guards; put up shutters, use strong locks; require employees to have permission to carry out packages when leaving work; arrange system to check all handling of cash; have special safeguards or areas where portable goods of great value are kept; guard against counterfeiting and bad checks; etc. |

## SAMPLE INTERVIEW QUESTIONS

1. What are some of the ways crime affects your business?
2. How serious a problem is shoplifting in your store?
3. What types of people shoplift? Who are the worst offenders?
4. How serious a problem is employee theft?
5. What is the cost of the various types of theft?
6. What was the total cost of crime to you (including shoplifting, burglary, employee theft, etc.) over the past year?
7. What procedures and equipment do you use to deal with shoplifters? With burglary and other types of crimes? How much does this cost per year?
8. Have losses due to crime and the costs of security or protection affected the prices you charge? Your insurance rates?

## SAMPLE STUDENT SURVEY QUESTIONNAIRE
### Shoplifting Questionnaire

Do *not* write your name on this paper.

Class: Fr. So. Jr. Sr. (circle one)

Sex: M ☐ F ☐

1. What percentage of the students in this school do you think shoplift?
   _____
2. Do you personally know of anyone who has shoplifted? Yes ☐ No ☐
3. Why do you think people shoplift? _____
   _____
4. Have you ever shoplifted? Yes ☐ No ☐
5. Have you ever been arrested for shoplifting? Yes ☐ No ☐
6. Do you think you will shoplift again? Yes ☐ No ☐

# Instructional Activity 4

## HOW TO CONTROL CRIME: THE SOCIOLOGISTS VS. THE ECONOMISTS

**Recommended Use:** Developmental activity for social science classes.

**Time Required:** At least two class periods of 40-50 minutes each. The exact time will depend on the length of class discussions.

**Materials Required:** Handouts 4-1, 4-2, and 4-3.

**Rationale:** To understand different explanations for the "causes" of crime. To learn how to test hypotheses with empirical evidence and to base policy decisions on such tests rather than on emotion. To help students influence crime prevention policies wisely now and as adults.

**Concepts:** Cost/benefit analysis; law of demand; testing of hypotheses.

**Instructional Objectives:** Students will:

1. Describe the characteristics of criminals as seen by sociologists;
2. State the factors that James Q. Wilson believes cause crime;
3. Explain why economists believe punishment deters crime;
4. Compare and contrast the ideas of criminologists and economists on crime prevention and control;
5. Develop alternative hypotheses about the causes of crime and test them with the evidence in the handouts;
6. Apply hypotheses on crime to the development of public policy on crime prevention and control.

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### Teaching Strategy

1. Assign Handout 4-1. Discuss handout by asking questions such as:

   a. What sector of the population is most likely to be arrested and convicted for criminal activity?

   b. Do blacks have a higher crime rate than whites because of racial characteristics?

   c. What programs would the task force use to control crime?

### Pupil Activity

Read and discuss handout.

According to the report, the typical criminal is young, male, a member of the lowest social and economic group, poorly educated, unmarried, unemployed, and reared in a broken home. Blacks have a proportionately higher crime rate than whites.

No. The task force attributes the difference to other characteristics. Blacks are poorer, live in worse conditions, and face more barriers to economic and social advancement. According to the task force, if equal opportunity prevailed, the difference in the crime rate between blacks and whites would disappear.

It would try to correct the economic, social, and personal conditions that cause or are associated with the commission of crime. Improvements or corrections might include making more jobs available, providing better education and training, eliminating discriminatory practices, etc.

d. Are there any problems with this approach?

Some possible problems are: The costs of social and educational programs are high. The degree of their effectiveness is uncertain. It is hard to eliminate discrimination. The incentive *not* to commit crime is indirect and hard to measure. In addition, favorable results, if any, may take many years to appear.

2. Assign handouts 4–2 and 4–3: Discuss the articles by asking questions such as these:

Read and discuss handouts.

a. What are some of the things that James Q. Wilson believes caused crime to increase?

He feels the crime rate went up because society did not decrease the benefits derived from criminal activity and did not increase the costs of committing crime. For example, he claims high teenage unemployment occurred at a time when penalties for crime were being reduced.

b. What do many economists believe about decisions to commit crime?

They agree with Wilson that crime increases when the benefits of committing a crime outweigh the costs.

c. In what ways do these economists differ with the criminologists who wrote the task force report? In what ways are the two parties in agreement?

Both groups believe that unemployment must be reduced and that other social and personal benefits associated with not committing crimes must be increased. However, the economists are less concerned with the basic or "root causes" of crime. They believe punishment deters crime because criminals make rational calculations. The criminologists do not stress punishment as a deterrent to crime because they think criminal actions are due more to social conditions than to rational calculations.

3. Give a lecture on the economists' approach to crime based on the material in the Overview. Ask students to demonstrate their understanding of the economists' approach through discussions and their responses to your questions.

4. Ask students to list some hypotheses on crime. Put them on the chalkboard without comment and then discuss them. Point out how difficult it is to prove a hypothesis on crime because of intervening variables. For example, crime is probably not caused by being young, but partly because many young people face a relative lack of economic opportunity.

Here are a few hypotheses students might list:
—Crime is caused by poverty.
—Crime is caused by poor education.
—Crime is caused by poor family conditions (broken home, parental abuse).
—Crime is caused by youth.
—Crime is caused by race.
—Crime is caused when the benefits of criminal activity are greater than the costs resulting from committing a crime.
—Crime is caused when lack of employment lowers the opportunity costs of committing a crime.
—Crime is caused when certainty of punishment decreases.
—Crime is caused when the chances of arrest are low.
—Crime is caused when insufficient resources are devoted to protection of property.

5. Ask students what the consequences are if some hypotheses are correct and others are wrong.

The effects on public policy can be significant. If the hypotheses of most sociologists are correct, policy should be concentrated on improving social welfare and employment opportunities. If the hypotheses of many economists are correct, we should combine employment programs with attempts to deter crime by means of greater certainty and severity of punishment. Because society's resources are scarce, its efforts should be concentrated on the programs that are most effective.

# Instructional Activity 5

## PLANNING A PROGRAM TO PREVENT CRIME IN THE SCHOOL

**Recommended Use:** Developmental activity for classes in economics, political science, and contemporary problems.

**Time Required:** Four or five class periods of 40–50 minutes each as well as out-of-school time for Strategy 4.

**Materials Required:** Handouts 5–1, 5–2, 5–3, 5–4, 5–5, and 5–6. Before carrying out Strategy 3, teachers should contact the principal's and the superintendent's office to be certain the information sought is available and to secure agreement for student interviews.

**Rationale:** To become aware of the extent and cost of school crime and become actively involved in efforts to prevent or reduce it.

**Concepts:** Cost-benefit analysis; opportunity cost; incentives; citizen participation; interest group.

**Instructional Objectives:** Students will

1. Describe the direct and indirect effects of school crime;
2. Collect and compile data to determine the extent and cost of crime in their school and/or school district;
3. Suggest ways of preventing or reducing crime in the school and/or school district;
4. Evaluate proposed actions and programs based on:
   a. Changes in the opportunity cost for students who consider committing crimes;
   b. Changes in incentives for students to participate in efforts to prevent or reduce school crime;
   c. Costs relative to benefits of a proposed action or program
   d. Acceptability of the action or program to the authorities whose approval is needed and to the various interest groups involved.

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### Teaching Strategy

DAY ONE

1. Distribute Handout 5–1. Allow time for reading. Then ask:
   a. Based on what you have just read, is school crime a serious national problem?
   b. Do you think crime is a serious problem in this school? In the school district as a whole? Why or why not?
2. Distribute Handout 5–2 (or use as a transparency). Initiate discussion by asking:

### Pupil Activity

Read and discuss article on crime in the schools and express personal beliefs relative to the seriousness of crime in the schools.

a. What does the term "vandalism" mean? Can you give some examples of vandalism?

Define* and give examples of vandalism.

b. What is the message the cartoonist is trying to convey?

Interpret the cartoon by picking out and explaining the symbols it uses to indicate the size of the problem of vandalism and its cost to taxpayers.

c. Who pays the cost of school crime?

The students and teachers who may have to contend with poor or damaged facilities. The financial costs are borne by the community in the form of higher taxes.

d. In addition to the direct costs paid by the victims and taxpayers, what are the indirect costs to you as students?

Suggest things schools may have to forgo in order to pay the cost of vandalism, e.g., more teachers, new band instruments or uniforms, student trips, etc.

3. Inform students that the class will conduct a study to find out the seriousness of crime in the school and in the school district. To collect the information needed divide the class as follows:

Listen to directions and indicate the interview or survey team with which they would like to work.

a. A team of three or four students to interview or secure statistical data from the principal about the incidence and cost of crime in the school;

b. A team of three or four students to secure similar information about the school district from the superintendent's office;

c. Teams of students to interview or survey the following:
—teachers and other school personnel;
—PTA leaders (and/or leaders of other school-related groups);
—A sample of citizens in the community;
—students.

4. Have students assemble in their assigned teams. Give a copy of Handout 5-3 to each member of the team designated to secure statistics from the offices of the principal and the superintendent. Give one copy of Handout 5-4 to each member of the remaining teams. In the blank provided at the top have students designate the group they plan to survey or interview (teachers and school personnel, PTA, community, or students). Instruct all the teams to read their handout carefully to be sure that they understand how it is to be completed and to decide whether other questions should be added. Instruct the teams responsible for large groups such as students in general or the community to decide how they will go about getting a representative sample.

Meet with their respective teams and

- Review survey/interview forms;
- Decide if other questions should be added to the form;
- Develop a plan for collecting the information needed;
- Conduct group survey/interview.

DAY TWO

5. Assist teams to prepare tables or other methods of summarizing their findings.

Compile survey/interview information and decide how to present it to the class.

DAY THREE

6. Have teams report their findings orally and display their summaries for reference during the discussion and evaluation.

Listen to and take notes on team reports. Ask questions to get additional information and to clarify specific points.

*Webster's Third New International Dictionary of the English Language, Unabridged* (Springfield, Mass.: Merriam, 1971) defines vandalism as "willful or malicious destruction or defacement of things of beauty or of public or private property."

7. To initiate discussion of reports and to help students assess the seriousness of school crime, ask:

   a. What was the total number of crimes committed in the school for the period on which the statistical information is based?

   b. What types of crimes occur most frequently?

   c. Do students, teachers, and visitors feel safe in the school?

   d. How does the incidence of crime in this school compare with the national statistics in Handout 5–1?

   e. Is the crime rate in this school lower or higher than the crime rate for the school district as a whole?

   f. What was the cost of crime for the school? For the school district?

   g. To what other uses could the money spent as a result of crime in or against the school(s) have been put?

Assess the seriousness of the problem of crime in their school by

- Using information provided in the reports and in Handout 5–1 to make comparisons between data for the school and school district with data for the nation;
- Noting needs of the school and/or school district for such things as more teachers and other personnel, equipment, building improvements, instructional materials or aids, etc., for which monies expended to prevent crime or repair its consequences might have been used.

DAY FOUR

8. Distribute handouts 5–5 and 5–6. After students complete reading, start discussion by asking:

   a. What do the handouts say are the causes of school crime?

   b. Can you think of any other reasons why students might commit criminal acts?

   c. What actions does Senator Bayh suggest for preventing or reducing school crime.

   d. Can you suggest other ways to reduce vandalism or other criminal acts in the school?

Read handouts.

- Discuss ways in which such factors as home environment, youth unemployment, lack of community recreational facilities, school environment, etc., may foster school crime;
- Suggest ways of reducing or preventing school crime, e.g., by raising the opportunity cost of committing crimes, by increasing incentives for students to help prevent crimes and to report crimes that occur, by making crimes more difficult to commit without detection, etc.

EVALUATION

Have students work in small groups to develop programs to prevent or reduce crime in their school. Factors that they might consider in developing their programs include: (1) the kinds of crimes committed most frequently in the school; (2) ways to increase the opportunity cost to students who commit crimes; (3) ways to increase incentives for other students to take action to prevent or report vandalism or other criminal acts; (4) the cost of the preventive measures suggested relative to the cost of crime and/or the school's ability to pay; (5) general acceptability of the crime prevention program to the various individuals and groups who may be affected, e.g., principal, teachers, students, parents, school board, superintendent's office, police, community youth program officials, etc.

# Instructional Activity 6

## "LAW ENFORCEMENT, MONEY, AND POLITICS"—A SIMULATION*

**Recommended Use:** Concluding activity for a study of the problems of crime prevention and control in economics, political science, and contemporary problems classes.

**Time Required:** Three class periods of 40–50 minutes each.

**Materials Required:** Role cards with background information on the following local government agencies: Public Works Department, School Board, Department of Community Services, Fire Department, Mayor's Office and City Administration, and Law Enforcement Agency.

**Rationale:** Students should come away from the study of crime with a recognition of the difficulties and trade-offs involved in securing adequate funding of policies for crime prevention and control.

**Concepts:** Scarcity; opportunity cost; trade-offs; interest group; political decision-making.

**Instructional Objectives:** Through role-playing, students will:

1. Decide how large a proportion of government revenues should be allocated for law enforcement and other programs for crime prevention and control;
2. Evaluate their decision in terms of other desirable alternatives for which the monies could have been used;
3. Analyze the process they used to determine the allocation of funds, explain how scarcity affects the decision-making process, cite specific examples of trade-offs they made, describe how individuals and groups influenced the decision-making process.

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### Teaching Strategy

DAY ONE

1. Inform students they are to play various roles as a city council decides on budget allocations for the coming year. Six agencies will compete for funds. Last year's budget totaled $3 million. As a result of increased revenues, however, the city has $900,000 more available, which raises the total to $3.9 million. Write these figures on the chalkboard.
2. Divide class into six groups representing the following departments and agencies:

   Public Works Department
   School Board
   Department of Community Services

### Pupil Activity

Each group will read and discuss background information and objectives for the department it represents.

*Adapted from *Educator's Handbook on Crime for Skeptic*, Special Issue No. 4 (1974).

Fire Department
Law Enforcement Agency
Mayor's Office and City Administration

Give members of each group the role card for their department.

3. Direct each group to select one person to represent it on the City Council. The representative of the City Administration will be designated as mayor and will chair the City Council meetings.

Each group selects a City Council representative.

4. Arrange tables and chairs so that the Council will be positioned in a prominent place in the room.

5. Hold first City Council meeting.

a. The City Council must decide whether it will allow comments from the audience.

b. The representatives will present the budget requests for their agencies.

c. The Council will discuss the feasibility of granting each agency's request. It will apply the concept of opportunity cost in assessing alternative budget proposals. (This meeting is largely exploratory. It is not necessary that the Council make any firm budgetary decisions at this time.)

DAY TWO

1. Have each department meet and discuss its position in relation to the total budgetary situation and requests.

All members of each department discuss the other agencies' proposals, their own needs, and the needs of the community. Some of the time may be spent in interagency communication. The representatives to the Council are instructed by their groups as to strategies, priorities, and compromises that might be made at the next Council meeting.

2. Hold second Council meeting. (If the Council so desires it may hold a public meeting at which all students can voice their preferences.)

DAY THREE

1. Hold final Council meeting.

Council makes necessary adjustments in the proposals in order to design a balanced budget for next year.

2. Review. Begin by having the class go over the final budget, taking special note of budget allocations for law enforcement. Questions for discussion might include the following:

Analyze the process and outcomes of decision-making.

a. What were the goals of each of the government agencies? Was the City Council able to satisfy all of these goals? If not, why not?

State goals of the various government agencies (e.g., greater crime prevention, better health care, improved government efficiency, etc.) and apply the concept of scarcity in explaining the Council's inability to satisfy all requests.

b. Did the Law Enforcement Agency get the additional funds it wanted? Why or why not? Did any agency get all the funds it requested? If so, why? Were priorities established by the Council? What was the influence of individual representatives on decision-making?

c. Does the final budget reflect any trade-offs among goals, e.g., crime control vs. health, safety vs. education, etc.

Cite budget appropriations that resulted from compromises or trade-offs.

d. Is everyone satisfied with the new budget? Was anything left out of the budget that groups or individuals think should have been included?

NOTE: This simulation could be varied in many ways depending on your objectives. Instead of using the political process at the local level, it could be developed at a state level with a request to the legislature for more funds for state or local law enforcement agencies, an increase in resources for prosecution, additional judges, new correctional facilities, expanded rehabilitation opportunities, or other programs and expenses related to the criminal justice system. The lobbying for support, bargaining for budget appropriations, alternative proposals, hearings, and committee consideration could all be included.

# Handout 1-1

## CRIME I.Q. QUIZ

Name and Class _____ Date _____

1. The FBI's *Uniform Crime Reports* divide serious crimes (also called Index Crimes) into two types: crimes against persons and crimes against property. Which pair of crimes given below would be included in the category of crimes against persons?
   (a) Homicide and auto theft
   (b) Forcible rape and larceny
   (c) Homicide and robbery
   (d) Auto theft and burglary

2. The percent of robberies, burglaries, and larcenies committed that are reported to the police is about:
   (a) 75–100%
   (b) 50–75%
   (c) 25–50%
   (d) 0–25%

3. Available crime statistics tend not to be completely accurate because
   (a) The public may not report all crimes to the police.
   (b) The police may not record all crimes brought to their attention.
   (c) Some reporting agencies or holders of political office may provide figures in such a way as to serve their own needs or advantage.
   (d) All of the above reasons.

4. About what percent of arrests for serious crimes involves people under 18?
   (a) 10%
   (b) 25%
   (c) 40%
   (d) 65%

5. Which of the following constitutional rights is *not* guaranteed to juveniles?
   (a) The right to be represented by a lawyer
   (b) Protection against self-incrimination
   (c) The right to trial by a jury
   (d) The right to confront and question witnesses

6. The percent of robberies, burglaries, and larcenies known to the police for which they make arrests ("clearances") is about
   (a) 75–100%
   (b) 50–75%
   (c) 25–50%
   (d) 0–25%

7. The percent of murders, aggravated assaults, and rapes known to the police for which they make arrests ("clearances") is about
   (a) 75–100%
   (b) 50–75%
   (c) 25–50%
   (d) 0–25%

8. About half of all expenditures on the criminal justice system is expended on
   (a) The police
   (b) The courts (judiciary)
   (c) Correction (prisons)
   (d) Legal services (prosecution)

9. Which of the following is an argument *against* decriminalizing victimless crimes?
   (a) Money spent to enforce these laws can be better spent elsewhere.
   (b) Criminal punishment has not reduced the number of victimless crimes.
   (c) Marijuana is less dangerous than liquor.
   (d) Laws cannot make people moral, but they can restrain immoral behavior.

10. The crime rate appears to be on the increase because:
    (a) It actually is increasing.
    (b) Criminal behavior toward victims has become more violent, vicious, and thoughtless.
    (c) There are more young people in the population, and young people have higher crime rates than do other people.
    (d) All of the above

From *Analyzing Crime and Crime Control: A Resource Guide*, EPS Series, 1981. Published by the Joint Council on Economic Education, 1212 Avenue of the Americas, New York, New York 10036

# Handout 3–1

## CRIMES AGAINST BUSINESS: ASSIGNMENT SHEET

Like many social scientists, you will gather evidence about conditions in your community and your school and report on your results. The information will be obtained from community businesses and from other students.

### Interviewing Businesses

Teams of three students will interview owners or managers of community businesses about the problems of crime they face.

- Before each interview write out the questions you want to ask. Some criteria of a good question are:
  - —It is clear and specific enough so that everyone will interpret it the same way.
  - —It is directed at a single fact or situation.
  - —It allows for answers that can be easily understood and interpreted.
  - —It does not influence the answers given.
- Call up one or two local businesses and request an interview with the owner or manager. Explain the purpose of the interview and the type of questions you plan to ask.
- After conducting the interviews, compile a report on the effects of shoplifting, employee theft, and other crimes against the business you investigated. You cannot generalize your findings to the entire community, but when you combine your results with those of the other teams, you should get some idea of the general problems of local businesses in regard to crime.

### Student Survey

Social scientists also gather evidence by getting answers to specially designed questionnaires. If a population is small, as in the typical class, one can ask the questions of everyone. If a population is large, as is often the case for an entire school, one usually can ask only a sample of it.

- If you use a sample, it should be a random sample so that it will accurately represent the population. In a random sample, every member of the population has an equal chance of being selected. For example, you could obtain a list of all the students in your school and give each name a number. Put a slip for each number in a box, shake the box well, and draw one-tenth of the slips, or at least 100. Shake the box well before each drawing. Survey those students whose numbers are selected. This is close to taking a random sample.

  If it is not possible to take a random sample of all the students, try to take a sample representative of part of the student body. You might survey certain classrooms or pick students in the cafeteria or survey the entire senior class. In the latter case, for example, your results would be valid for the senior class only.

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# Handout 3–1 (concluded)

- Before actually proceeding, test the questionnaire on a few students to make sure the questions are clear and easily understood.
- Administer the questionnaire (to at least 100 people, if you are using a random sample).
- In a written report you should:
  - —Describe the sample and the procedure used to draw it.
  - —Compile and organize the information gathered.
  - —Show the results of the survey in both absolute numbers and percents of the totals surveyed.
  - —Analyze the results in order to form conclusions or generalizations based on the data gathered.

# Handout 3-2

## CRIMES AGAINST BUSINESS: READING

A major amount of crime is committed against business. Here are a few examples.

- A Washington, D.C., firm declared bankruptcy. As a result, 260 employees lost their jobs at the firm, and $400,000 in capital investment was lost. The reason was a 30 percent loss of inventory (inventory "shrinkage") due to workplace crime. Workplace crime refers to property offenses committed by an employee against an employer.
- The American Telephone Telegraph Company estimates that in 1977 its losses from fraud were more than $26 million.
- A newspaper reported that Christmas shoppers paid $10.00 for merchandise which might have only cost them $9.60. The reason for the increase was that the cost of theft per $10.00 of retail value was 30 cents for theft; 5 cents for bad checks and other frauds; and 5 cents the store was forced to spend on security measures to try to hold the amount of theft and fraud down.
- As a test, a New York department store selected 500 shoppers at random and kept them under surveillance. Forty-two of these shoppers (one out of 12) took something without paying for it.
- The CBS television program "Sixty Minutes" presented evidence that over $4 billion worth of electricity is stolen from public utilities each year. The stealing is done by tampering with meters.

Crimes against businesses include those by customers and outsiders such as passing bad checks, shoplifting, robbery, vandalism, and counterfeiting. In addition to crimes against businesses committed by outsiders are those committed by employees such as stealing goods or money, accepting bribes, "rigging" computers to cover their errors or their crimes, "padding" expense accounts. (Businesses also perpetrate crimes. They may defraud consumers, use illegal practices to drive competitors out of business, cheat insurance companies by the use of arson, use misleading advertising or otherwise misrepresent the goods or services they sell.)

White-collar crime is becoming quite sophisticated. For example, in 1976 there were 110,000 computers in use in the United States. Although only 225 cases of computer crime were reported in that year, experts estimated that just 1 percent of computer crimes was detected. The average computer-assisted fraud exceeded $1 million, more than ten times the size of the average embezzlement without the use of computers.

Retailers are hit hardest by the increasing crime rate against business. They lose an average of 2 percent of sales volume through employee thefts and shoplifting. (The October 15, 1979, issue of *Business Week* reported that the cost of shoplifting to retail merchants was more than $8 billion a year.) In addition, retailers spend billions of dollars on security devices. Because retail profits average 1 percent of sales, stores must sell $100 worth of merchandise to compensate for every dollar stolen. Because a sufficient increase in sales volume is rarely possible, retailers must raise their prices to compensate for the losses.

Although convicted criminals often rationalize their acts by saying they are getting back at big, impersonal businesses, more crimes against retailers are committed against small than against large stores. Smaller stores (those grossing less than $1 million a year) suffer 68 percent of all crimes against retailers, but they take in only 30 percent of the nation's retail receipts.

We all pay for these crimes through higher unemployment and higher price tags. In order to recover what crime costs them, manufacturers, railroads, truckers, wholesalers, and retailers raise their prices, and the consumers become the ultimate victims. Moreover, it is estimated that between 5 and 20 percent of the firms that declare bankruptcy do so because of employee crime.

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# Handout 4–1

## A SOCIOLOGICAL PROFILE OF THE CRIMINAL

What is known today about offenders is confined almost wholly to those who have been arrested, tried, and sentenced. The criminal justice process may be viewed as a large-scale screening system. At each stage it tries to sort out the better risks to return to the general population. The further along in the process that a sample of offenders is selected, the more likely they are to show major social and personal problems.

From arrest records, probation reports, and prison statistics a "portrait" of the offender emerges that progressively highlights the disadvantaged character of his life. The offender at the end of the road in prison is likely to be a member of the lowest social and economic groups in the country, poorly educated and unemployed, unmarried, reared in a broken home, and to have a prior criminal record. This is a formidable list of personal and social problems that must be overcome in order to restore offenders to law-abiding existence. Not all offenders, of course, fit this composite profile, as a more detailed examination of the arrest, probation, and prison data reveals.

### Arrest Data on Offenders

National arrest statistics, based on unpublished estimates for the total population, show that when all offenses are considered together the majority of offenders arrested are white, male, and over 24 years of age. Offenders over 24 make up the great majority of persons arrested for fraud, embezzlement, gambling, drunkenness, offenses against the family, and vagrancy. For many other crimes, the peak age of criminality occurs below 24.

The 15-17-year-old-group is the highest for burglaries, larcenies and auto theft. For these three offenses, 15-year-olds are arrested more often than persons of any other age with 16-year-olds a close second. For the three common property offenses the rate of arrest per 100,000 persons 15 to 17 in 1965 was 2,467 as compared to a rate of 55 for every 100,000 persons 50 years old and over. For crimes of violence the peak years are those from 18 to 20, followed closely by the 21 to 24 group. Rates for these groups are 300 and 297 as compared with 24 for the 50-year-old and over group.

One of the sharpest contrasts of all in the arrest statistics on offenders is that between males and females. Males are arrested nearly seven times as frequently as females for index offenses plus larceny under $50. The rate for males is 1,097 per 100,000 population and the corresponding rate for females is 164. The difference is even greater when all offenses are considered.

The differences in the risks of arrest for males and females are diminishing, however. Since 1960 the rate of arrest for females has been increasing faster than the rate for males. In 1960 the male arrest rate for index offenses plus larceny under $50 was 926 per 100,000 and in 1965 it was 1,097, an increase in the rate of 18 percent. However, the female rate increased by 62 percent during this same period, from 101 per 100,000 females to 164. Most of the increase was due to the greatly increased rate of arrest of women for larcenies. The larceny arrest rate for women increased 81 percent during this same period in marked contrast to an increase of 4 percent for aggavated assault, the next highest category of arrest for women among these offenses.

The factor of race is almost as important as that of sex in determining whether a person is likely to be arrested and imprisoned for an offense. Many more whites than blacks are arrested every year but blacks have a significantly higher rate of arrest in every offense category except certain offenses against public order and morals. For index offenses plus larceny under $50 the rate per 100,000 blacks in 1965 was four times as great as that for whites (1,696 to 419).

In general, the disparity of rates for offenses of violence is much greater than the differences between the races for offenses against property. For instance, the black arrest rate for murder is 24.1 compared to 2.5 for whites, or almost 10 times as high. This is in contrast to the difference between blacks and whites for crimes against property. For example, the rate of black arrest (378) for burglary is only about 3½ times as high as that for whites (107). The statistics also show that the differences between the white and black arrest rates are generally greater for those over 18 years of age than for

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Excerpted from *The Challenge of Crime in a Free Society: A Report of the President's Commission on Law Enforcement and Administration of Justice* [the "Katzenbach Commission"] (Washington, D.C.: U.S. Government Printing Office, February 1967). The commission was established by President Lyndon Johnson in July 1965.

# Handout 4–1 (concluded)

those under 18. Blacks over 18 are arrested about five times as often as whites (1,684 to 325). In contrast, the ratio for those under 18 is approximately three to one (1,689 to 591).

The differences between the black and white arrest rates for certain crimes of violence have been growing smaller between 1960 and 1965. During that period, considering together the crimes of murder, rape, and aggravated assault, the rate for blacks increased 5 percent while the rate for whites increased 27 percent. In the case of robbery, however, the white rate increased 3 percent while the black rate increased 24 percent. For the crimes of burglary, larceny, and auto theft the black rate increased 33 percent while the white rate increased 24 percent.

Many studies have been made seeking to account for these differences in arrest rates for blacks and whites. They have found that the differences become very small when comparisons are made between the rates for whites and blacks living under similar conditions. However, it has proved difficult to make such comparisons, since blacks generally encounter more barriers to economic and social advancement than whites do. Even when blacks and whites live in the same area, the blacks are likely to have poorer housing, lower incomes, and fewer job prospects. The Task Force is of the view that if conditions of equal opportunity prevailed, the large differences now found between the black and white arrest rates would disappear.

# Handout 4–2

## THE RISE IN CRIME DURING THE 1970S: AN ANALYSIS

. . .The number of young people in the population increased dramatically in the past decade: between 1960 and 1970 there were 13 million more persons between the ages of 14 and 24 added to the population than had been added in the preceding decade.

Professor Norman Ryder, a demographer at Princeton University, has described this by suggesting that we should imagine society as being composed of two armies, a "defending army" (all those between 25 and 64) and an "invading army" (all those between 14 and 24). The issue these armies are fighting over is whether or not the young can be socialized into existing mores, habits of thought, occupations and professions of society. Up until 1960 the size of the defending army was three times as great as the size of the invading army. Under those circumstances the socialization task—never easy, as any parent . . . will testify—was nonetheless manageable. But by 1970 the size of the defending army was only twice the size of the invading army. I don't know what a military strategist would say about that shift in odds, but it was a very dramatic shift and produced what Professor Ryder calls a "dramatic discontinuity" in our society. Our capacity to handle the normal socialization process was impaired: we had such an enormous increase in the numbers of persons at the crime-prone years that even if the rest of us foreswore crime altogether we would still have had a significant crime increase.

Secondly, in 1960 we began to decrease, relatively speaking, the number of jobs available to young persons in the labor force. Before 1957, teenage and young adult unemployment ran on the average about 8 to 10 percent. By the middle of the '60's the average for teenagers had increased to 16 or 17 percent—at a time when adult unemployment was going down. We did, indeed, become two societies during the '60's, but the cleavage was not simply the often-mentioned "generation gap" of ideas, dress, and fashion, although that surely was important. We became two societies in a more fundamental sense, at least if you believe economics is more fundamental than dress. For the adult segment of the population there was unparalleled prosperity, resulting in a sharp decline in the unemployment rate for persons over 25 and a sharp increase in median family income for blacks and whites in the adult group. But at the same time persons under the age of 25, and especially under the age of 21, faced increasing job shortages. These were more acute for blacks than for whites—at one point in the mid-'60's the teenage black unemployment rate hit one-third of the teenage black labor force—but nevertheless they were acute for all.

Thirdly, during the decade of the '60's we noticed that the number of crimes cleared by arrest went down. Although the number of persons being arrested by the police went up, the increase was not as rapid as the increase in reported crimes. Furthermore, in many jurisdictions there was a decrease in the imposition of criminal sanctions for certain kinds of behavior. There was, I observed from my own studies, a decrease in the proclivity of courts to sentence heroin dealers to jail. But I think there was also a general decrease in the proclivity to sentence a number of persons to prison for a variety of offenses. . . .

Indeed, in many states the prison population during the '60's either stabilized or went down at a time of rising crime rates. This occurred for a variety of reasons. Some people believed that prisons are wrong. Other people began to use jails instead of prisons. There was a shift to probation. There was a view that certain kinds of crime were not really crimes at all, such as drunkenness and the like. But even after having made all these allowances, I think a fair summary of the '60's would be that just at the time when the relative availability of legitimate jobs for persons under the age of 24 was decreasing, so also were the penalties for criminal activity decreasing. Now many things can be said about young persons, but that they are collectively irrational is not one of them. A person living in a large city and coming of age during this time could arrive at only one conclusion: the benefits of crime were increasing at a time when the costs of crime were decreasing. Simultaneously, . . . he would have noticed the enormous increase in the abundance of consumer goods that he might want to have. If he could not afford to buy them, he might want to steal them.

An appropriate study on this last point has not yet been done for the '60's. I can report on an analogous study for the '30's and '40's, however, which I am sure if repeated now would have the

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Excerpted from a speech on May 24, 1973, by James Q. Wilson, Henry Lee Schattuck Professor of Government at Harvard University, before the Coalition for a Democratic Majority. The full text appears in *Vital Speeches* (September 1, 1973).

# Handout 4–2 (concluded)

same results. Someone once tried to see if he could predict the crime rate in the '30's and '40's in this country, not from knowing anything about criminals, but from knowing how many things there were to steal. He took two examples: the number of registered automobile vehicles, and the amount of currency and coins on deposit in banks. He found that with respect to the first, the number of registered vehicles predicted 95 percent of the auto theft rate on a year-by-year basis. I suspect that such an analysis might well be true for the '60's, although, as I say, this has not been established.

Now let me emphasize that this large experiment held in the '60's was not only tried in the United States. This experiment was tried in many parts of the world, communist as well as capitalist, and the results were essentially the same. The crime rates for most of these countries began to show steep increases during the very early '60's, and even more radical increases in the late '60's. The baby boom, post-war consumer society, and a reconsideration of the purpose of the criminal justice system apparently hit all of these countries at once.

Some might suggest that there was one factor in the crime rise which was special to the United States: the heroin epidemic that broke out in this country in about 1963 or 1964 and reached its peak in about 1969 or 1970. But I want to emphasize that the data as yet do not permit the conclusion that the increased use of heroin led in and of itself to a comparable increase in crime. I know the assumption is usually made—I have made it myself in the past—that persons who are addicted to heroin must steal to support their habit. Clearly, many do. But not all do. We do not yet have a reliable measure of the extent to which heroin addiction in and of itself contributed to the crime increase. It contributed somewhat, but it was certainly not the major cause. Indeed, if we were to eliminate heroin addiction we could see some decrease in the crime rate, but it would probably not be as dramatic as many have supposed. The proportion of persons who are heroin addicts in various treatment centers around the country who are also criminals, or who have active criminal records, turns out to be much smaller than most people would guess. The results aren't all in, but substantially fewer than half of all addicts have active criminal records. Almost half, in fact, are employed at the time they are addicts. In Great Britain, where one does not have to steal in order to get heroin, roughly the same proportion of British as American heroin addicts have criminal records—about 40 percent. . . .

# Handout 4–3

## CRIME: A CASE FOR MORE PUNISHMENT

Americans who believe that the U.S. criminal justice system has been far too soft on criminals for far too long are getting some strong support from unexpected quarters—a group of genteel, ivory-tower economists. These economists maintain that today's soaring crime rate is in part the price society is paying for a decade of permissiveness in catching, convicting, and imprisoning criminals. Their empirical studies show that punishment as well as increased economic opportunities can deter crime. And a recent controversial finding concludes that the death penalty deters murder.

Economists have been late in applying their bag of theoretical and empirical tools to the analysis of crime. Sociologists and criminologists, therefore, long held center stage in shaping public policy on what may be the nation's No. 2 domestic problem, second only to the recession-inflation dilemma.

Last year, violent crimes increased 11%, and crimes against property jumped by 17%. And in the past 14 years murder has increased 125%, aggravated assault 196%, forcible rape 224%, and robbery 307%. Despite the fact that the costs of crime approach $75-billion a year, economists rarely addressed the subject in their analysis of the nation's allocation of resources or of individual economic behavior.

In 1968, however, Gary Becker of the University of Chicago, in an article called "Crime and Punishment: An Economic Approach," demonstrated with stunning theoretical precision that criminal behavior could be incorporated into a theory of economic choice. Becker, in effect, argued against the sociological view that the criminal was irrational, sick, or a robot-like creature produced by an unjust environment. He maintained rather that most criminals are decision-makers who arrive at their choice of crime by weighing the costs and benefits of crime against the costs and benefits of legitimate activities. Thus, it followed, according to Becker, that either increasing the likelihood of punishment or raising legitimate opportunities would reduce crime.

Says Gordon Tullock of Virginia Polytechnic Institute (VPI), who in the late 1960s had been doing work along the same lines as Becker: "There is no question any longer. Economists in the U.S., Canada, and England have shown conclusively that punishment does cut down on crime."

### Deterrents

Right now Isaac Ehrlich of the University of Chicago is the key economist in the empirical investigations of crime. He demonstrates, after statistically adjusting for other factors, that states with better police protection, higher certainty of conviction and imprisonment, and longer prison sentences have lower crime rates than more permissive states. And he finds that this holds true for crimes like murder and rape as well as for economically motivated crimes like robbery. Says Ehrlich: "I don't know what motivates a rapist, and I don't much care. But the evidence is strong that fewer rapes occur where the chance of punishment is higher."

In fact, however, society is exacting a smaller and smaller price from those who commit crimes. The conviction rate for burglary is less than one-half what it was in 1960, and for auto theft it has fallen by two-thirds. Gregory Krohm of VPI estimates that an adult burglar runs only 24 chances in 10,000 of being sent to prison for any single offense. For juveniles the risk is about half that. To Ehrlich, this means that crime has become more attractive, and crime rates have soared.

Ehrlich also shows that criminals respond to positive incentives. Where unemployment rates are low and labor participation rates are high, especially for young adults, he finds that there is less crime. "This implies," he notes, "a reason for equalizing training and earning opportunities independent of any ethical considerations."

### Dissenters

Not all economists buy Ehrlich's results completely. Sheldon Danziger of the University of Wisconsin's Institute for Research on Poverty cautions that the data are poor. The crime data that most economists work with come from the Federal Bureau of Investigation and cover only reported crimes. But data from the Census Bureau, based on personal interviews, show that for certain crimes, such as rape and assault, the actual number may exceed the reported figures by 500%. Nevertheless, Danziger says, "I might quibble with Ehrlich's elasticity estimates but I have no doubt that punishment does discourage crime."

Danziger voices strong objection to what he sees

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as overemphasis on the punishment effect and underplaying of the economic-incentives effect. He prefers to stress the creation of more legitimate opportunities to deter crime. "By putting all our chips on punishment, as Tullock does, we may be sacrificing the more long-lasting effects of increasing economic opportunities." says Danziger.

Llad Phillips of the University of California agrees that the U.S. should tighten up on apprehending and convicting those who commit crimes. But he argues that, "Ultimately we have to do something about increasing jobs, especially for blacks."

## How?

Upgrading economic opportunities, however, is a lot easier said than done. For example, most experts agree that manpower training programs, which cost $10-billion in the 1960s alone, have been a failure. By and large, the only permanent jobs they created were for economists to study why the programs failed. But one thing is certain: High unemployment among the young marches arm and arm with crime. "The nation," says Danziger, "cannot long tolerate 20% unemployment among its young people."

Economists view the problem of rehabilitating the criminal differently than most social scientists do. Even liberal economists say that money spent to rehabilitate offenders by making them less "criminal-like" is money down the drain. They point to the findings of Robert Martinson, a sociologist at the City University of New York, who in an exhaustive study of prison reform concludes that rehabilitation does not work. Says Duke University Economist Philip J. Cook: "We simply don't know how to change personality."

Cook argues that the only way to "rehabilitate" an offender is to increase his chance of getting a job when he gets out. But most state penal programs offer job training, while what prospective employers want to see is a record of steady work. The only way to get that, according to Cook, is to develop work-release programs so that convicts can build up a work record. A detailed analysis of the work-release program in North Carolina indicates that ex-convicts who were on work-release are much less likely to commit felonies than those who were not in such a program. "Work-release won't have a dramatic effect," says Cook, "but it will make a dent."

## Cracking Down.

According to VPI's Tullock, a dramatic effect on crime will result only from increasing the punishment deterrent. This, of course, will take huge expenditures for more police, more prosecutors, more judges, and more prisons. "The benefits will be even bigger," says Tullock. "Society will end up with less crime and fewer people in prison."

To make more efficient use of existing police resources, both Tullock and Ehrlich would legalize so-called victimless crimes, such as prostitution and gambling, freeing police to fight real crime. Currently, victimless crimes account for about 40% of total arrests, according to some estimates. But liberal-leaning Lster Thurow of MIT disagrees sharply with the libertarian call for legalizing victimless crime. Says Thurow: "One of the ways we teach our daughters not to be prostitutes is by outlawing prostitution. If we want more police, let's spend more money and get them. Let's not tell society that its morals are wrong."

Nowhere do moral sensibilities play a more crucial role than on the issue of capital punishment. Ehrlich has also undertaken a study to answer the question of whether the death penalty deters murder. The results appear in the June, 1975, issue of the *American Economic Review.* Examining national data for the years 1933–1969, he finds that the increased likelihood of being executed has a small but significant impact in preventing murder. Ehrlich estimates that there is a one to 17 trade-off between execution and murder: Each execution prevents 17 murders.

Ehrlich's results are now enshrined in the pleadings before the Supreme Court. Because his study also carried a stinging attack on the work of sociologists who purported to show no deterrent impact from capital punishment, early this year he was asked by the Solicitor-General's office to submit a working draft for their presentation which in effect argued for the death penalty before the Supreme Court in Fowler vs. North Carolina. Ehrlich, who is against capital punishment, refused. But a draft was submitted without his permission in the April arguments before the Court.

However, economists are less likely to accept Ehrlich's capital punishment findings than his earlier results. Peter Passell of Columbia University argues that Ehrlich is on shaky econometric ground. Passell

# Handout 4-3 (concluded)

maintains that the choice of the time period used in the study is crucial. He says, "If you exclude the last few years from the equations, you find no relationship between the death penalty and the murder rate." Passell claims that factors other than the decline in executions throughout the 1960s may have been responsible for the increase in the murder rate in the mid-1960s—notably the social unrest caused by the Vietnam War.

Ehrlich, of course, does not buy Passell's objection. But he, too, is extremely careful in interpreting his own results. He notes that conviction for murder has a far greater deterrent effect than execution. If one therefore argues that juries would be less likely to convict because there is a chance that the defendant might be executed, then the number of convictions may indeed fall. And the fall in the conviction rate could then swamp the deterrent effect of the death penalty. Ehrlich finds no evidence that this is the case. He nonetheless says: "I've shown that executions deter murders. That doesn't mean that executing people is the optimal policy."

Economists have shown that society need not get to the root causes of criminal behavior in order to reduce crime. Criminals seem to respond to both negative and positive incentives. The critical question remains, however, to what degree each should be emphasized.

# Handout 5-1

## THE SAFE SCHOOL STUDY

### The Safe School Study

Because hard facts and information on the extent of school crime, violence, and vandalism were lacking, Congress requested in 1974 that the Department of Health, Education, and Welfare [now called Department of Health and Human Services] conduct a major scientific study of this problem. The actual work of designing and administering the study was done by the National Institute of Education.

The study was carried out in three phases. Phase I involved mailing a questionnaire to 5,578 public school principals who were asked to report details of school crime, violence, and vandalism for selected one-month periods between February 1976 and January 1977. Phase II consisted of questionnaires filled out by principals, teachers, and students in 851 junior and senior high schools. Phase III allowed the researchers to visit ten schools throughout the country with a history of school crime, violence, and vandalism. At these schools the researchers conducted interviews with students, teachers, administrators, and other school personnel. The results of all the data gathered in these three phases were published in a report last January titled *Violent Schools—Safe Schools.* The "Safe School Study" represents the most dependable effort so far to answer the four main questions about school crime, violence, and vandalism which are listed at the beginning of this article.

### How Serious?

How serious is the problem? According to the "Safe School Study," "One answer is considerably more serious than it was 15 years ago, and about the same as it was 5 years ago." At the present time, the nation generally seems to be going through a leveling-off period. School crime, violence, and vandalism may even be starting to decline, at least in some areas.

About 8% of the nation's schools are currently experiencing a "serious problem." This percentage may seem small, but it represents 6,700 elementary and secondary schools. The problem is most serious in large city schools where 18% of the junior highs and 26% of the senior highs report having serious problems. However, the greatest *number* of seriously affected schools (68% of the total) are actually located in suburban areas. This is due to the fact that more schools exist in suburbs than in the big cities. Thus, although the problem appears to be concentrated in urban schools, crime, violence, and vandalism—according to the "Safe School Study"—". . . is a problem that affects large numbers of schools in every type of location."

Teenagers spend about a quarter of their time in school. Do the facts from the "Safe School Study" mentioned above indicate that schools are actually unsafe places? The answer is a qualified "yes." Depending, of course, on the particular school a teenager attends, the risk of violence is generally greater to him or her there than any other single place. About 40% of all robberies and 36% of all assaults against teenagers happen in schools. This is especially true for younger students, aged 12-15.

Vandalism, the intentional destruction of school property, is also a measure of the seriousness of school crime. The "Safe School Study" states that 24,000 elementary and secondary schools out of a total of 84,000 report some act of vandalism each month. Although the average cost of a single act of vandalism is only $81, the cost of repairing and replacing school property because of the activity of vandals is $200 million a year. When the cost of guards and security devices is figured in, the cost rises to about $600 million a year.

The present school crime situation has never been worse; but what are the long-term trends? The study found a pattern of increasing assaults, robberies, and vandalism taking place in the schools in the late 1960s and early '70s. But, the frequency of these criminal acts had leveled off by 1975. The problem does not seem to be getting worse. In fact, there are indications of improvement. But crime, violence, and vandalism in the schools "is as serious as it has ever been."

### How Many?

Students and teachers are the primary victims of school crime and violence. How many of them are affected? The percentages are small, but it should be remembered that it takes only a few attacks, robberies, or thefts at school to increase the fear level among students and teachers.

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# Handout 5-1 (concluded)

Among students, theft is the most common crime at school. About 11% of all students—that is 2.4 million young people—have something stolen from them at school each month. Most thefts involve small items or amounts of money less than $10.

A much smaller percentage of students (1.3%) are attacked each month at school. But, attack victims still number nearly 300,000 students monthly. While most attacks are minor and probably involve simple fighting, 42% result in some injury. About 4% of the attack victims require medical attention. Another significant fact about school attacks is that twice as many take place in junior highs than in senior highs.

About one-half of 1% of public school students are victims of robbery or extortion ("shakedowns") each month. This amounts to over 100,000 students. However, 76% of these robberies and extortions involve sums of money less than $1. "Hey kid, gimme a quarter," is an example of a typical schoolyard petty extortion. Nevertheless, 11% of all robbery/extortion incidents result in an injury to the victim. Again, this type of crime is more common in junior high schools.

The percentage of teachers victimized in the schools is similar to that of students:

- 12% or 130,000 are theft victims each month;
- less than 1% or 5,200 are attacked in one month, most without serious injury;
- one-half of 1% or 6,000 are robbed monthly.

In addition, teachers were asked about rape incidents against female teachers at school. It appears that about 400 teachers are raped each month at school, although this is a rough estimate.

As with student victims, teachers are more likely to become victimized in junior high schools.

More than just the victims themselves seem to be affected by crime and violence in school. Students and teachers were asked about their "fear level" while at school. About 3% of all students surveyed reported that they were afraid of being hurt or bothered at school "most of the time." An additional 20% said that they were afraid "sometimes." Over 10% of the teachers stated that they had been threatened with injury by students, and a similar percentage reported holding back from confronting misbehaving students because of fear.

These figures do undercut somewhat the claims of many sensational news media stories about school crime and violence. But, the problem does exist; it is serious; and in many schools it interferes with the teaching and learning process.

## When and Where?

The "Safe School Study" was able to establish definite patterns of when and where school crime, violence, and vandalism typically take place.

The personal crimes of theft, assault, and robbery occur most frequently during regular school hours. This should not be a surprise, since both the offenders and their victims are close together. An interesting pattern, however, develops during the week. Generally, crimes against persons occur infrequently at the beginning of the school week, increase to a maximum of Wednesday, and then taper off during the remainder of the week. Also, thefts, assaults, and robberies tend to take place more often in the spring.

Most school property offenses such as breaking and entering, burglary, and vandalism occur on weekends or before and after school on weekdays. School property crimes are highest when school opens in the fall, and then they gradually decline in number during the rest of the school year.

An important finding of the "Safe School Study" was that the safest place for students to be at school is in the classroom. On the other hand, there are numerous unsafe areas. The riskiest place for students are the hallways and stairwells. Other danger spots at school are restrooms, cafeterias, locker rooms, and gyms. By way of contrast, the least safe place for a teacher is his or her own classroom. This is the case because many teachers probably are in their classrooms alone before and after school as well as during lunch.

When and where school crime happens is important to know since this information allows the schools to develop effective crime prevention measures. As far as students are concerned, this means "Stay in class!"...

# Handout 5–2

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# Handout 5–3

## SCHOOL CRIME

(Name of School or School District)

Find out the extent and cost of crime in your school or school district during comparable periods of time (for example, per week, per month, per semester, per school year). Statistics about the cost and incidence of crime in the school are usually available from the principal's office. Information about the school district must generally be obtained from the superintendent's office.

A. Vandalism (types, number of incidents, and cost)

B. Arson (types, number of incidents, and cost)

C. Theft (types, number of incidents, and cost)

D. Weapons (types and number confiscated)

E. Assaults (number of incidents involving students, teachers, and other school personnel)

F. Rape (number of incidents involving students, teachers, and other school personnel)

G. Murder (number of incidents involving students, teachers, and other school personnel)

H. Student suspensions and expulsions (number due to criminal behavior)

I. School security (number of security officers and cost of security system)

J. Fire and theft insurance (cost: have rates increased recently? If so, why?)

K. Total amount budgeted for school crime-related expenditures (insurance, security, damages, settlements, etc.)

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# Handout 5–4

## SCHOOL CRIME SURVEY/INTERVIEW FORM

_____

(Name of Survey/Interview Group)

1. Do you think crime and violence are major problems in school.
   Yes____ No____

2. Do you feel safe when you go to or visit school during the day?
   Yes____ No____

3. Do you feel safe when you go to or visit school at night?
   Yes____ No____

4. Have you ever been a victim of a crime in the school?
   Yes____ No____ If your answer was "yes" what type of crime?
   Vandalism____ Theft____ Assault____ Other_____

5. Do you know anyone who has been a victim of a crime in school?
   Yes____ No____ If your answer was "yes" what type of crime?
   Vandalism____ Theft____ Assault____ Other_____

6. What do you think should be done to prevent or reduce crime in schools?

From *Analyzing Crime and Crime Control: A Resource Guide*, EPS Series, 1981. Published by the Joint Council on Economic Education, 1212 Avenue of the Americas, New York, New York 10036.

# Handout 5–5

## SEEKING SOLUTIONS TO SCHOOL VIOLENCE AND VANDALISM

—Birch Bayh

Birch Bayh is a former U.S. senator from Indiana.

During the six years I served as chairman of the Senate Subcommittee To Investigate Juvenile Delinquency we conducted numerous hearings and received testimony from more than 500 witnesses on a variety of topics, including the extent and cause of drug abuse, runaway youths, school drop-outs, the confinement of juveniles in detention facilities, and the most promising programs for reducing the alarming rate of juvenile delinquency. The legislation enacted to deal with these problems is the Juvenile Justice and Delinquency Prevention Act. This act is designed to prevent young people from entering our failing juvenile justice system and to assist communities in creating more sensible and economic approaches for youngsters already in the system. It makes possible for the first time a coordinated effort by federal, state, and local governments along with private groups to address the problems and causes of crime and delinquency among our youth.

In the course of our work on this legislation I became increasingly concerned with reports from educators and others over the rising level of violence and vandalism in the nation's public school system. Because many of the underlying problems of delinquency, as well as their prevention and control, are intimately connected with the nature and quality of the school experience, it became apparent that, to the extent that our schools were being subjected to an increasing trend of violence and vandalism, they would necessarily become a factor in the escalating rate of juvenile crime and delinquency. No effort to prevent delinquency could ignore the tremendous impact of such a development. Therefore the subcommittee began an in-depth investigation to determine both the extent of these problems and possible programs to improve the situation. We conducted a nationwide survey of 757 school systems enrolling approximately half of the public elementary and secondary students in the country. . . .

We also urged the Office of Juvenile Justice and Delinquency Prevention, under the authority provided by the school- and education-related sections of the Juvenile Justice Act, to explore ways in which the federal government might help reduce the growing problems of violence and vandalism. . . .

Only a decade ago violence and vandalism in schools were considered troublesome but hardly critical problems. Virtually every school in America had experienced an occasional fight or a broken window. Such occurrences had long been viewed as more or less a fixture of school life. Recently, however, the situation has changed. What was once regarded as an unfortunate but tolerable fact of life for teachers and students has become a source of growing concern and even alarm for many members of the education community. Our investigation has found these concerns to be well founded; acts of violence and vandalism are indeed occurring with more frequency and intensity than in the past. In some schools, in fact, the problems have escalated to a degree that makes the already difficult tasks of education nearly impossible. . . .

It should be made clear, of course, that not every elementary and secondary school in the country is staggering under a crime wave of violence and vandalism. However, while many school systems are able to operate on a relatively satisfactory basis, there is abundant evidence that a significant and growing number of schools in urban, suburban, and rural areas are confronting serious levels of violence and vandalism.

I should emphasize that this is not a problem found exclusively in large cities or in less affluent school districts. Schools voicing concern over the escalating rates of violence and vandalism along with the often attendant problems of weapons, drugs, and rampant absenteeism can be found in any city, suburb, or town, irrespective of geographic location or per-capita income. Simply put, while not every school suffers from serious violence and vandalism, no school can afford to adopt the smug

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# Handout 5–5 (concluded)

attitude that "it can't happen here." Unfortunately, it can and has been happening in far too many schools.

The costs of vandalism prevention and repair can result in significant and sometimes staggering strains on education budgets. Los Angeles spent more than $7 million on these efforts in 1974–75, at a time when the school system was already facing a $40 million deficit. The Chicago school system suffered $3.5 million in property loss in 1974, to which can be added $3.2 million for school security programs and $3 million for guards necessitated by violence and vandalism. On a national level, the National Association of School Security Directors estimates that school vandalism diverts more than $590 million from annual education budgets. This sum exceeds the total amount spent on school textbooks in 1972.

Obviously, these are serious problems. But I believe that we can solve them through careful analysis of their nature and through construction of various solutions that are compatible with an educational atmosphere. We must, however, keep several points in mind.

Initially, we must recognize that the solution to crime in the schools does not lie solely within the schools. Numerous factors totally beyond the school's control have a significant impact. As was extensively explored throughout our hearings, problems involving home environment, severe unemployment among young people, and a lack of adequate recreational activities all have tremendous influence on youth, yet the school's ability to deal directly with them is obviously minimal.

We should also be aware that promises to resolve violence and vandalism in schools defined only in terms of legislative enactments, whether on the federal, state, or local level, create false hopes, because of the nature of these problems, the diversity of their origins, and the intricacies of human behavior. I believe that the principal ingredient in successful efforts to reduce violence and vandalism is not more money or more laws but the active involvement of the education community in a range of thoughtful and balanced programs.

In order to stimulate this process of involvement, the subcommittee prepared and issued a report, *Challenge for America's Third Century: Education in a Safe Environment*, which outlined the kinds of locally based programs we found that could help prevent and reduce school violence and vandalism. These approaches are *not* based on the premise that we should confront these problems by turning our schools into armed fortresses. Instead, they are educationally oriented strategies that can succeed in enriching the classroom environment and creating the kind of atmosphere in which education can best take place. . . .

While it is of course impossible within the limitations of this article to provide an in-depth explanation of each of these strategies, I would like to describe two of them briefly.

Our studies show that a significant number of incidents of violence and vandalism can be traced to young school-aged intruders who are not currently attending school because they are truant, suspended, or have dropped out completely. One way to reduce the intruder problem, in addition to programs to reduce truancy and dropouts, would be to insure that suspension policies are helping to provide proper discipline in school and are not detracting from it by needlessly creating potential school intruders.

In some schools violation of ordinary student rules against such behavior as smoking or tardiness is punished by suspension. Suspension should be reserved for more serious violations. While students who pose a serious danger to persons or property obviously should be quickly removed from schools, our studies show that many teachers and principals feel they should have other alternatives in disciplining youngsters for ordinary day-to-day offenses than putting them out on the streets. Among useful alternatives are "cool-off" rooms, behavior contracts, and additional counseling strategies. These can be used to keep order at the same time we keep kids in schools.

Our study of vandalism also indicates that much of this destructive activity occurs in the late afternoon, in the evening, or on weekends when the school buildings are empty. Community education programs that expand the active use of the school plant can help prevent vandalism and turn a "target of opportunity" into a more valued community resource.

As mentioned above, I am convinced that the most important element in the prevention of school violence and vandalism is the active involvement of the entire education community in local efforts to accomplish this goal. . . .

# Handout 5–6

## WHY SCHOOL VANDALISM?

School vandalism has always existed, but more recently it has gotten more frequent and costly. Why is this?

The U.S. Office of Education blames a growing permissiveness in American society. According to this view, the old rules and values governing family life, parental responsibility and codes of conduct no longer seem to apply to *any* age group.

Another explanation for the recent increase in school vandalism might be that juvenile delinquency and crime have also skyrocketed in recent years. According to the FBI, about half of all serious crimes are now committed by teenagers. This, in turn, may be due to the fact that the percentage of teenagers in the population has recently become larger.

The schools themselves may also contribute to the problem of vandalism. Some school critics blame lax discipline and easier academic standards for the upsurge in vandalism. Others say that vandalism is a sign that at least some students are being treated unfairly by teachers and administrators.

What reasons do school vandals themselves give? When they are caught, which is not very often, a typical respose is, "I don't know why I did it."

*Senior Scholastic* magazine, in its February 23, 1978 issue, asked two vandals to explain their actions. "I know it's not right," replied a white suburban youth who had smashed windows at his high school, "but I guess I just didn't feel as though that school had much to do with me—except that it was always ordering me around, really controlling my life. . . . It made me feel better."

Another vandal who broke windows at his high school (a black student living in a poor New York City neighborhood) said, "I'm supposed to be concerned about human rights in Russia, short stories, and a dozen other things. But nobody seems to care about *my* life. . . . I guess it was just a way of getting back."

# Role Cards

## DEPARTMENT OF COMMUNITY SERVICES

You are responsible for hospitals, the welfare department, the recreation department, and social agencies. One wing of a hospital needs to be repainted. Due to an increase in unemployment, you feel a compelling need to help unemployed people find jobs and therefore wish to increase the staff of the employment office. Also, the city recently acquired an empty lot in the old part of town, and you would like to develop a park and recreational facility there to help keep the young people in that area off the streets. A recent article in the newspaper congratulated the police force for a lowering of the crime rate, and you feel that a substantial increase in Law Enforcement's budget may not be necessary.

| | |
|---|---|
| Last year's budget | $300,000 |
| Additional budget requests for next year | 90,000 |
| Painting of hospital | $15,000 |
| Employment office staff increase | 45,000 |
| Recreational facility | 30,000 |
| TOTAL BUDGET REQUESTED FOR NEXT YEAR | $390,000 |

## LAW ENFORCEMENT AGENCY

A recent study of the crime rate in your city revealed a slowing of crime. You are convinced that this improvement is the result of recent action supported by the City Council. You spent additional funds allocated to you in the past two years for modernizing the department and improved recruiting and training of police personnel. Now you want to raise the efficiency of the department further by increasing the number of officers, adding more patrol cars, and modernizing the jail in order to provide a more civilized environment for the inmates. You see the possibility of a substantial improvement in the arrest rate for auto thefts through the acquisition of a new radio-computer communications link with patrol cars that will allow police officers to identify the owner of a vehicle in eight seconds.

| | |
|---|---|
| Last year's budget | $600,000 |
| Additional budget requests for next year | 210,000 |
| Additional personnel | $90,000 |
| New cars | 21,000 |
| Jail improvements | 60,000 |
| Radio computer links | 39,000 |
| TOTAL BUDGET REQUESTED FOR NEXT YEAR | $810,000 |

## MAYOR'S OFFICE AND CITY ADMINISTRATION

The situation of the courts in your city is intolerable because they have more cases than they can handle. Your city must appropriate funds to build more courtroom facilities. You also need to modernize record keeping. You are convinced that leasing a computer-sharing service would improve the present system of keeping city records and the overall efficiency of city administration. A recent newspaper article congratulated the police force on lowering the crime rate, and you feel that a substantial increase in Law Enforcement's budget may not be necessary.

| | |
|---|---|
| Last Year's budget | $300,000 |
| Additional budget requests for next year | 90,000 |
| New courtroom facilities | $60,000 |
| Computer-sharing service | 30,000 |
| TOTAL BUDGET REQUESTED FOR NEXT YEAR | $390,000 |

## FIRE DEPARTMENT

You are committed to expand and modernize the department. You are also eager to add a much needed paramedic squad to the department. Firemen are expecting a rise in their salaries. A recent article in the newspaper congratulated the police force for lowering the crime rate, and you feel that a substantial addition to Law Enforcement's budget may not be necessary.

| | |
|---|---|
| Last year's budget | $450,000 |
| Additional budget requests for next year | 120,000 |
| Paramedic training | $30,000 |
| Rescue vehicles | 75,000 |
| Salary increases | 15,000 |
| TOTAL BUDGET REQUESTED FOR NEXT YEAR | $570,000 |

## SCHOOL BOARD

Due to a growth in population, especially with new housing developments, the present schools cannot adequately house or educate all of the community's children. You feel that it is essential for a new elementary school to be built and more teachers to be hired. The building of the new school would be financed by a bond issue which has already passed, but there would be additional costs for equipment. Demands by the teachers for a cost-of-living increase will require additional money. You feel certain the teachers will strike if this demand is not met. You would also like the police to augment their night patrols of the school grounds. A recent article in the newspaper congratulated the police force for lowering the crime rate, and you feel that a substantial increase in Law Enforcement's budget may not be necessary.

| | |
|---|---|
| Last year's budget | $750,000 |
| Additional budget requests for next year | 210,000 |
| Furnishings for new school | $120,000 |
| New teachers and salary increase | 90,000 |
| TOTAL BUDGET REQUESTED FOR NEXT YEAR | $960,000 |

## PUBLIC WORKS DEPARTMENT

You are responsible for the sewer, water, power, and street systems, as well as the maintenance of public buildings. As a result of a recent order of the state environmental protection agency, you must increase the efficiency of your sewage treatment. Last year you requested additional funds to extend the services you provide to new housing developments. It was denied because the needs of other agencies were considered by the Council to be more urgent. You still need an increased budget in order to extend the sewer system and street lights to the new housing. Due to an increase in muggings and in citizen complaints about street crime, you also want to install additional as well as more efficient street lights in the old parts of town. Without the increase in funds you will not be able to improve services to the community. A recent article in the newspaper congratulated the police force for lowering the crime rate, and you feel that a substantial increase in Law Enforcement's budget may not be necessary.

| | |
|---|---|
| Last year's budget | $600,000 |
| Additional budget requests for next year | 180,000 |
| Improvement of sewage treatment facility | $60,000 |
| Extension of sewer system to new housing | 60,000 |
| Expansion of lights in new housing | 30,000 |
| Lights in old parts of town | 30,000 |
| TOTAL BUDGET REQUESTED FOR NEXT YEAR | $780,000 |